

**Senate File 2389 - Introduced**

SENATE FILE 2389

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3258)

**A BILL FOR**

1 An Act relating to and making, reducing, and transferring  
2 appropriations to state departments and agencies from  
3 the rebuild Iowa infrastructure fund, the technology  
4 reinvestment fund, the revenue bonds capitals fund, the  
5 revenue bonds capitals II fund, the FY 2009 prison bonding  
6 fund, and other funds, creating the Iowa jobs II program,  
7 and the revenue bonds federal subsidy holdback fund,  
8 providing for related matters, and providing an effective  
9 date.  
10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

Section 1. There is appropriated from the rebuild Iowa infrastructure fund to the following departments and agencies for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF ADMINISTRATIVE SERVICES

a. For distribution to other governmental entities for the payment of services related to the integrated information for Iowa system, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 3,700,000

Moneys appropriated in this lettered paragraph shall be separately accounted for in a distribution account and shall be distributed to other governmental entities based upon a formula established by the department to pay for services associated with the integrated information for Iowa system provided during the fiscal year by the department.

During the fiscal year, the department may use up to \$1,000,000 of unexpended or unobligated funds in the information technology operations fund established under the provisions of section 8A.123 to provide funding for costs associated with the integrated information for Iowa system. By October 31, 2011, the department shall report to the department of management and the legislative services agency regarding any moneys that are used for this purpose.

b. For costs associated with Mercy capitol hospital building operations, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 1,083,175

c. For the state's share of support in conjunction with the city of Des Moines and local area businesses to provide a free shuttle service to the citizens of Iowa that includes transportation between the capitol complex and the downtown

1 Des Moines area, notwithstanding section 8.57, subsection 6,  
2 paragraph "c":

3 ..... \$ 200,000

4 Details for the shuttle service, including the route to  
5 be served, shall be determined pursuant to an agreement to  
6 be entered into by the department with the Des Moines area  
7 regional transit authority (DART) and any other participating  
8 entities.

9 Of the amount appropriated in this lettered paragraph, up to  
10 \$50,000 shall be used to encourage state employees to utilize  
11 transit services provided by the Des Moines area regional  
12 transit authority.

13 2. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

14 For the administration of the watershed improvement review  
15 board established in section 466A.3, notwithstanding section  
16 8.57, subsection 6, paragraph "c":

17 ..... \$ 50,000

18 3. DEPARTMENT FOR THE BLIND

19 For costs associated with universal access to audio  
20 information over the phone on demand for blind and print  
21 handicapped Iowans, notwithstanding section 8.57, subsection  
22 6, paragraph "c":

23 ..... \$ 20,000

24 4. DEPARTMENT OF CULTURAL AFFAIRS

25 a. For continuation of the project recommended by the Iowa  
26 battle flag advisory committee to stabilize the condition of  
27 the battle flag collection, notwithstanding section 8.57,  
28 subsection 6, paragraph "c":

29 ..... \$ 60,000

30 b. For purposes of maintenance and repairs of historic  
31 sites:

32 ..... \$ 40,000

33 5. DEPARTMENT OF ECONOMIC DEVELOPMENT

34 a. For deposit in the workforce training and economic  
35 development funds for each community college in section

1 260C.18A, notwithstanding section 8.57, subsection 6, paragraph  
2 "c":  
3 ..... \$ 2,000,000  
4 b. To the 6th avenue corridor for improvements to the  
5 streetscape associated with the national mainstreet conference  
6 and for additional architectural and engineering design  
7 plans for economic development and community revitalization,  
8 notwithstanding section 8.57, subsection 6, paragraph "c":  
9 ..... \$ 100,000  
10 c. To develop site plans for the southeast Iowa regional  
11 economic and port authority including plans for infrastructure  
12 for economic development, notwithstanding section 8.57,  
13 subsection 6, paragraph "c":  
14 ..... \$ 50,000  
15 d. For equal distribution to regional sports authority  
16 districts certified by the department pursuant to section  
17 15E.321, notwithstanding section 8.57, subsection 6, paragraph  
18 "c":  
19 ..... \$ 500,000  
20 e. For administration and support of the world food prize  
21 including the Borlaug/Ruan scholar program, notwithstanding  
22 section 8.57, subsection 6, paragraph "c":  
23 ..... \$ 100,000  
24 6. DEPARTMENT OF EDUCATION  
25 To provide resources for structural and technological  
26 improvements to local libraries and for the enrich Iowa  
27 program, notwithstanding section 8.57, subsection 6, paragraph  
28 "c":  
29 ..... \$ 500,000  
30 Of the moneys appropriated in this subsection, \$50,000 shall  
31 be allocated equally to each library service area.  
32 7. DEPARTMENT OF NATURAL RESOURCES  
33 a. For floodplain management and dam safety,  
34 notwithstanding section 8.57, subsection 6, paragraph "c":  
35 ..... \$ 2,000,000

1 Of the amounts appropriated in this lettered paragraph,  
 2 up to \$400,000 is authorized for stream gages to be used  
 3 for tracking and predicting flood events and for compiling  
 4 necessary data relating to flood frequency analysis.

5 b. For costs associated with the construction of a permanent  
 6 structure for handicapped persons and senior citizens in a  
 7 county with a population between 37,150 and 37,250:

8 ..... \$ 40,000

9 c. For costs associated with the hiring and employment of an  
 10 asset manager at Honey creek resort state park, notwithstanding  
 11 section 8.57, subsection 6, paragraph "c":  
 12 ..... \$ 100,000

13 The department shall issue a request for proposals to  
 14 competitively procure the services of an asset manager which  
 15 shall be selected by the natural resource commission. The  
 16 asset manager shall have hospitality management experience  
 17 of at least five years including at least three years asset  
 18 management experience in a setting similar in size and quality  
 19 to the Honey creek resort state park with a similar type of  
 20 market. The duties and job responsibilities of the asset  
 21 manager shall include but are not limited to reviewing and  
 22 commenting on the resort's sales and marketing plan, providing  
 23 for the operation of the resort in a manner consistent with  
 24 the requirements and limitations set forth in the resort's  
 25 operating agreement, monitoring and supervising the resort  
 26 including site visits, and negotiating and recommending an  
 27 annual operating budget and budget plan. The asset manager  
 28 shall report to bond counsel, the governor, the Honey creek  
 29 authority, the department of natural resources, and the  
 30 legislative services agency.

31 8. DEPARTMENT OF PUBLIC DEFENSE

32 a. For major maintenance projects at national guard  
 33 armories and facilities:

34 ..... \$ 1,500,000

35 b. For renovation and facility improvements at the Iowa

1 Falls readiness center:  
2 ..... \$ 500,000  
3 c. For renovation and facility improvements at the Cedar  
4 Rapids armed forces readiness center:  
5 ..... \$ 200,000  
6 d. For renovation and facility improvements at the  
7 Middletown readiness center:  
8 ..... \$ 100,000  
9 9. DEPARTMENT OF PUBLIC HEALTH  
10 For a grant to an existing national affiliated volunteer eye  
11 organization that has an established program for children and  
12 adults and that is solely dedicated to preserving sight and  
13 preventing blindness through education, nationally certified  
14 vision screening and training, community and patient service  
15 programs, notwithstanding section 8.57, subsection 6, paragraph  
16 "c":  
17 ..... \$ 100,000  
18 10. IOWA FINANCE AUTHORITY  
19 For transfer to the Polk county housing trust fund for the  
20 construction of facilities to meet the specialized needs of  
21 adult persons with severe and profound disabilities who have  
22 high medical needs:  
23 ..... \$ 250,000  
24 11. STATE BOARD OF REGENTS  
25 a. For allocation by the state board of regents to the  
26 state university of Iowa, the Iowa state university of  
27 science and technology, and the university of northern Iowa to  
28 reimburse the institutions for deficiencies in the operating  
29 funds resulting from the pledging of tuition, student fees  
30 and charges, and institutional income to finance the cost of  
31 providing academic and administrative buildings and facilities  
32 and utility services at the institutions, notwithstanding  
33 section 8.57, subsection 6, paragraph "c":  
34 ..... \$ 24,305,412  
35 b. For the Iowa flood center at the state university of Iowa

1 for use by the university's college of engineering, pursuant  
2 to section 466C.1, notwithstanding section 8.57, subsection 6,  
3 paragraph "c":  
4 ..... \$ 1,300,000  
5 c. To Iowa state university of science and technology to  
6 purchase veterinary surgical and other equipment to modernize  
7 the animal care facilities at the blank park zoo as part of  
8 a cooperative effort of blank park zoo and the college of  
9 veterinary medicine, notwithstanding section 8.57, subsection  
10 6, paragraph "c":  
11 ..... \$ 400,000  
12 12. TREASURER OF STATE  
13 For county fair infrastructure improvements for distribution  
14 in accordance with chapter 174 to qualified fairs which belong  
15 to the association of Iowa fairs:  
16 ..... \$ 1,060,000  
17 13. DEPARTMENT OF TRANSPORTATION  
18 For infrastructure improvements at general aviation airports  
19 within the state:  
20 ..... \$ 750,000  
21 14. DEPARTMENT OF VETERANS AFFAIRS  
22 For transfer to the Iowa finance authority for the  
23 continuation of the home ownership assistance program for  
24 persons who are or were eligible members of the armed forces of  
25 the United States, pursuant to section 16.54, notwithstanding  
26 section 8.57, subsection 6, paragraph "c":  
27 ..... \$ 1,000,000  
28 Sec. 2. There is appropriated from the rebuild Iowa  
29 infrastructure fund to the following departments and agencies  
30 for the following fiscal years, the following amounts, or so  
31 much thereof as is necessary, to be used for the purposes  
32 designated:  
33 1. DEPARTMENT OF CORRECTIONS  
34 For project management costs at Fort Madison and  
35 Mitchellville prisons, associated with construction projects

1 at the department, notwithstanding section 8.57, subsection 6,  
2 paragraph "c":

3	FY 2011-2012.....	\$ 4,500,000
4	FY 2012-2013.....	\$ 1,000,000
5	FY 2013-2014.....	\$ 200,000

6 2. DEPARTMENT OF NATURAL RESOURCES

7 For state park infrastructure improvements:

8	FY 2011-2012.....	\$ 5,000,000
9	FY 2012-2013.....	\$ 5,000,000
10	FY 2013-2014.....	\$ 5,000,000
11	FY 2014-2015.....	\$ 5,000,000

12 3. DEPARTMENT OF TRANSPORTATION

13 For deposit into the passenger rail service revolving  
14 fund created in section 327J.2 for matching federal funding  
15 available through the federal Passenger Rail Investment  
16 and Improvement Act of 2008 for passenger rail service,  
17 notwithstanding section 8.57, subsection 6, paragraph "c":

18	FY 2011-2012.....	\$ 6,500,000
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19 It is the intent of the general assembly to fund up to  
20 \$20 million over a four-year period to fully fund the state  
21 commitment for matching federal funding available through the  
22 federal Passenger Rail Investment and Improvement Act of 2008.

23 Sec. 3. REVERSION. For purposes of section 8.33, unless  
24 specifically provided otherwise, unencumbered or unobligated  
25 moneys made from an appropriation in this division of this Act  
26 shall not revert but shall remain available for expenditure for  
27 the purposes designated until the close of the fiscal year that  
28 ends three years after the end of the fiscal year for which the  
29 appropriation was made. However, if the project or projects  
30 for which such appropriation was made are completed in an  
31 earlier fiscal year, unencumbered or unobligated moneys shall  
32 revert at the close of that same fiscal year.

33

DIVISION II

34

TECHNOLOGY REINVESTMENT FUND

35

Sec. 4. There is appropriated from the technology



1 reinvestment fund created in section 8.57C to the following  
2 departments and agencies for the fiscal year beginning July  
3 1, 2010, and ending June 30, 2011, the following amounts, or  
4 so much thereof as is necessary, to be used for the purposes  
5 designated:

6 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

7 For technology improvement projects:

8 ..... \$ 3,793,654

9 2. DEPARTMENT OF CORRECTIONS

10 For costs associated with the Iowa corrections offender  
11 network data system:

12 ..... \$ 500,000

13 3. DEPARTMENT OF EDUCATION

14 a. For maintenance and lease costs associated with  
15 connections for Part III of the Iowa communications network:

16 ..... \$ 2,727,000

17 b. For the implementation of an educational data warehouse  
18 that will be utilized by teachers, parents, school district  
19 administrators, area education agency staff, department of  
20 education staff, and policymakers:

21 ..... \$ 600,000

22 The department may use a portion of the moneys appropriated  
23 in this lettered paragraph for an e-transcript data system  
24 capable of tracking students throughout their education via  
25 interconnectivity with multiple schools.

26 4. DEPARTMENT OF PUBLIC HEALTH

27 For deposit in the county mental health, mental retardation,  
28 and developmental disabilities services fund created by section  
29 331.424A in a county with a population over 350,000 for a  
30 community mental health center created under chapter 230A which  
31 serves only adults:

32 ..... \$ 250,000

33 5. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

34 For replacement of equipment for the Iowa communications  
35 network:

1 ..... \$ 2,244,956

2 The commission may continue to enter into contracts pursuant  
3 to section 8D.13 for the replacement of equipment and for  
4 operations and maintenance costs of the network.

5 In addition to moneys appropriated in this subsection,  
6 the commission may use a financing agreement entered into by  
7 the treasurer of state in accordance with section 12.28 for  
8 the replacement of equipment for the network. For purposes  
9 of this subsection, the treasurer of state is not subject to  
10 the maximum principal limitation contained in section 12.28,  
11 subsection 6. Repayment of any amounts financed shall be made  
12 from receipts associated with fees charged for use of the  
13 network.

14 Sec. 5. REVERSION. For purposes of section 8.33, unless  
15 specifically provided otherwise, unencumbered or unobligated  
16 moneys made from an appropriation in this division of this Act  
17 shall not revert but shall remain available for expenditure for  
18 the purposes designated until the close of the fiscal year that  
19 ends three years after the end of the fiscal year for which the  
20 appropriation was made. However, if the project or projects  
21 for which such appropriation was made are completed in an  
22 earlier fiscal year, unencumbered or unobligated moneys shall  
23 revert at the close of that same fiscal year.

24 DIVISION III

25 REVENUE BONDS CAPITALS FUND — APPROPRIATIONS

26 Sec. 6. There is appropriated from the revenue bonds  
27 capitals fund created in section 12.88, to the following  
28 departments and agencies for the fiscal year beginning July  
29 1, 2010, and ending June 30, 2011, the following amounts, or  
30 so much thereof as is necessary, to be used for the purposes  
31 designated:

32 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

33 For projects related to major repairs and major maintenance  
34 for state buildings and facilities:

35 ..... \$ 3,000,000

1 Moneys appropriated in this subsection shall not be used  
2 for purposes of the renovation of the Mercy capitol hospital  
3 building.

4 2. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

5 a. To the soil conservation division of the department  
6 established in section 161A.4 to provide financial assistance  
7 for the establishment of permanent soil and water conservation  
8 practices:

9 ..... \$ 1,000,000

10 b. Not more than 5 percent of the moneys appropriated  
11 in paragraph "a" may be allocated for cost sharing to abate  
12 complaints filed under section 161A.47.

13 c. Of the moneys appropriated in paragraph "a", 5 percent  
14 shall be allocated for financial incentives to establish  
15 practices to protect watersheds above publicly owned lakes of  
16 the state from soil erosion and sediment as provided in section  
17 161A.73.

18 d. Not more than 30 percent of a soil and water conservation  
19 district's allocation of moneys as financial incentives may be  
20 provided for the purpose of establishing management practices  
21 to control soil erosion on land that is row cropped, including  
22 but not limited to no-till planting, ridge-till planting,  
23 contouring, and contour strip-cropping as provided in section  
24 161A.73.

25 e. The state soil conservation committee created in section  
26 161A.4 may allocate moneys appropriated in paragraph "a"  
27 to conduct research and demonstration projects to promote  
28 conservation tillage and nonpoint source pollution control  
29 practices.

30 f. The allocation of moneys as financial incentives as  
31 provided in section 161A.73 may be used in combination with  
32 moneys allocated by the department of natural resources.

33 g. Moneys appropriated in this subsection shall not be used  
34 for administrative or planning purposes.

35 3. DEPARTMENT OF CULTURAL AFFAIRS

1 For grants for Iowa great places program projects:  
2 ..... \$ 2,000,000  
3 4. DEPARTMENT OF CORRECTIONS  
4 a. For one-time costs associated with the opening of  
5 community-based corrections facilities including the purchase  
6 of equipment:  
7 ..... \$ 1,519,048  
8 b. For use by a city with a population between 198,000 and  
9 199,000 for a safety barrier to be constructed in the natural  
10 environment between the fifth judicial district facility and  
11 the blank park zoo:  
12 ..... \$ 1,000,000  
13 c. For project management costs at Fort Madison and  
14 Mitchellville prisons associated with construction projects at  
15 the department:  
16 ..... \$ 2,200,000  
17 5. DEPARTMENT OF ECONOMIC DEVELOPMENT  
18 To the Des Moines area regional transit authority (DART) for  
19 construction of a regional transit hub for economic development  
20 purposes and for providing public transportation in a city with  
21 a population between 198,000 and 199,000 in the last preceding  
22 certified federal census:  
23 ..... \$ 4,000,000  
24 6. DEPARTMENT OF NATURAL RESOURCES  
25 For implementation of lake projects that have established  
26 watershed improvement initiatives and community support in  
27 accordance with the department's annual lake restoration plan  
28 and report:  
29 ..... \$ 7,000,000  
30 Of the amount appropriated in this subsection, \$250,000  
31 shall be allocated for dredging, reconstruction, and related  
32 improvements of twin ponds adjacent to a nature center in a  
33 county with a population between 13,050, and 13,100.  
34 Of the amount appropriated in this subsection, \$2,000,000  
35 shall be allocated for costs associated with dam construction;

1 shoreline protection; boat ramp, parking, and road  
2 construction; and an in-lake fishing habitat development  
3 project for a new state recreation area on a lake located in a  
4 county with a population between 155,000 and 160,000.

5 Of the amount appropriated in this subsection, \$100,000  
6 shall be allocated for lake dredging and related improvements  
7 including ongoing dam maintenance and operation on a lake with  
8 public access that has the support of a benefited lake district  
9 located in a county with a population between 18,350 and 18,450  
10 in the last preceding federal census.

11 7. STATE BOARD OF REGENTS

12 For phase II of the construction and renovation of the  
13 veterinary medical facilities at Iowa state university of  
14 science and technology, specifically the renovation and  
15 modernization of the area formerly occupied by the large animal  
16 area of the teaching hospital for expanded clinical services:  
17 ..... \$ 13,000,000

18 8. IOWA STATE FAIR

19 For infrastructure improvements to the Iowa state  
20 fairgrounds including but not limited to the construction of an  
21 agricultural exhibition center on the Iowa state fairgrounds:  
22 ..... \$ 2,500,000

23 9. IOWA FINANCE AUTHORITY

24 For grants for purposes of the housing trust fund created in  
25 section 16.181:  
26 ..... \$ 2,000,000

27 Sec. 7. TAX-EXEMPT STATUS — USE OF APPROPRIATIONS.

28 1. Payment of moneys from the appropriations in this  
29 division of this Act shall be made in a manner that does not  
30 adversely affect the tax-exempt status of any outstanding bonds  
31 issued by the treasurer of state.

32 2. Payment of moneys from the appropriations in this  
33 division of this Act shall not be used for administrative or  
34 planning purposes.

35 Sec. 8. REVERSION. For purposes of section 8.33, unless

1 specifically provided otherwise, unencumbered or unobligated  
 2 moneys made from an appropriation in this division of this Act  
 3 shall not revert but shall remain available for expenditure for  
 4 the purposes designated until the close of the fiscal year that  
 5 ends three years after the end of the fiscal year for which the  
 6 appropriation was made. However, if the project or projects  
 7 for which such appropriation was made are completed in an  
 8 earlier fiscal year, unencumbered or unobligated moneys shall  
 9 revert at the close of that same fiscal year.

10

## DIVISION IV

11

## REVENUE BONDS CAPITALS II FUND — APPROPRIATIONS

12

Sec. 9. NEW SECTION. **12.88A Revenue bonds capitals II fund.**

13

14 1. A revenue bonds capitals II fund is created and  
 15 established as a separate and distinct fund in the state  
 16 treasury. The treasurer of state shall act as custodian of the  
 17 fund and disburse moneys contained in the fund.

18

19 2. Revenue for the revenue bonds capitals II fund shall  
 20 include but is not limited to the following, which shall be  
 21 deposited with the treasurer of state or the treasurer of  
 22 state's designee as provided by any bond or security documents  
 23 and credited to the fund:

24

25 *a.* The net proceeds of bonds issued after July 1, 2010,  
 26 pursuant to section 12.87 other than bonds issued for the  
 27 purpose of refunding such bonds, and investment earnings on the  
 28 net proceeds.

29

30 *b.* Interest attributable to investment of moneys in the fund  
 31 or an account of the fund.

32

33 *c.* Moneys in the form of a devise, gift, bequest, donation,  
 34 federal or other grant, reimbursement, repayment, judgment,  
 35 transfer, payment, or appropriation from any source intended to  
 be used for the purposes of the fund.

36

37 3. Moneys in the revenue bonds capitals II fund are not  
 38 subject to section 8.33. Notwithstanding section 12C.7,  
 39 subsection 2, interest or earnings on moneys in the fund shall  
 40 be credited to the fund.

1     4. Annually, on or before January 15 of each year, a state  
 2 agency that received an appropriation from the revenue bonds  
 3 capitals II fund shall report to the legislative services  
 4 agency and the department of management the status of all  
 5 projects completed or in progress. The report shall include  
 6 a description of the project, the work completed, the total  
 7 estimated cost of the project, a list of all revenue sources  
 8 being used to fund the project, the amount of funds expended,  
 9 the amount of funds obligated, and the date the project was  
 10 completed or an estimated completion date of the project, where  
 11 applicable.

12     Sec. 10. There is appropriated from the revenue bonds  
 13 capitals II fund created in section 12.88A to the following  
 14 departments and agencies for the fiscal year beginning July  
 15 1, 2010, and ending June 30, 2011, the following amounts, or  
 16 so much thereof as is necessary, to be used for the purposes  
 17 designated:

18     1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

19     a. To the soil conservation division of the department  
 20 established in section 161A.4 to provide financial assistance  
 21 for the establishment of permanent soil and water conservation  
 22 practices:

23 ..... \$ 5,950,000

24     (1) Not more than 5 percent of the moneys appropriated in  
 25 this paragraph "a" may be allocated for cost sharing to abate  
 26 complaints filed under section 161A.47.

27     (2) Of the moneys appropriated in this paragraph "a",  
 28 5 percent shall be allocated for financial incentives to  
 29 establish practices to protect watersheds above publicly owned  
 30 lakes of the state from soil erosion and sediment as provided  
 31 in section 161A.73.

32     (3) Not more than 30 percent of a soil and water  
 33 conservation district's allocation of moneys as financial  
 34 incentives may be provided for the purpose of establishing  
 35 management practices to control soil erosion on land that is

1 row cropped, including but not limited to no-till planting,  
2 ridge-till planting, contouring, and contour strip-cropping as  
3 provided in section 161A.73.

4 (4) The state soil conservation committee created in  
5 section 161A.4 may allocate moneys appropriated in paragraph  
6 "a" to conduct research and demonstration projects to promote  
7 conservation tillage and nonpoint source pollution control  
8 practices.

9 (5) The allocation of moneys as financial incentives as  
10 provided in section 161A.73 may be used in combination with  
11 moneys allocated by the department of natural resources.

12 (6) Moneys appropriated in this paragraph "a" shall not be  
13 used for administrative or planning purposes.

14 b. For grants under the conservation reserve enhancement  
15 program to improve water quality and intercept nitrates:

16 ..... \$ 2,500,000

17 2. DEPARTMENT OF ECONOMIC DEVELOPMENT

18 a. For deposit into the community attraction and tourism  
19 fund created in section 15F.204:

20 ..... \$ 12,000,000

21 b. For deposit into the river enhancement community  
22 attraction and tourism fund created in section 15F.205:

23 ..... \$ 4,000,000

24 Moneys appropriated for grants awarded in paragraphs "a" and  
25 "b" shall be used to assist communities in the development and  
26 creation of multiple purpose attractions or community service  
27 facilities for public use.

28 c. For accelerated career education program capital  
29 projects at community colleges that are authorized under  
30 chapter 260G and that meet the definition of vertical  
31 infrastructure in section 8.57, subsection 6, paragraph "c":  
32 ..... \$ 5,500,000

33 d. For the main street Iowa program to be used as grants  
34 for projects that have previously applied for funding  
35 consideration, or have received partial funding for facade



1 master plans to rehabilitate storefronts in main street Iowa  
2 districts, to complete streetscape projects where planning  
3 and the majority of funding is already secured, for unfunded  
4 main street challenge grant projects, and for other building  
5 rehabilitation projects that are currently on the department's  
6 highest priority list:

7 ..... \$ 8,450,000

8 Moneys appropriated in this lettered paragraph shall not be  
9 used for administration or planning purposes.

10 Of the amount appropriated in this lettered paragraph,  
11 \$300,000 shall be allocated to a city with a population between  
12 25,100 and 25,200 in the last preceding certified federal  
13 census for a redevelopment project that includes improvements  
14 and modifications to streets and storm sewers in both the  
15 downtown and mall areas of the city.

16 e. To north Iowa area community college (merged area II)  
17 for the construction of a small business center for economic  
18 development:

19 ..... \$ 1,500,000

20 f. To kirkwood community college (merged area X) for  
21 the construction of a small business center for economic  
22 development:

23 ..... \$ 1,200,000

24 3. DEPARTMENT OF EDUCATION

25 For major renovation and major repair needs, including  
26 health, life, and fire safety needs and for compliance with the  
27 federal Americans with Disabilities Act, for state buildings  
28 and facilities under the purview of the community colleges:

29 ..... \$ 2,000,000

30 4. IOWA FINANCE AUTHORITY

31 a. To the Iowa jobs board created in section 16.191 for  
32 disaster relief and mitigation renovation and construction  
33 projects:

34 ..... \$ 30,900,000

35 The moneys appropriated in this paragraph "a" shall be

1 allocated as follows:

2 (1) To a county with a population between 189,000 and  
3 196,000 in the last preceding certified federal census for the  
4 renovation and expansion of an administrative office building:  
5 ..... \$ 4,400,000

6 (2) To a city with a population between 120,500 and 120,800  
7 in the last preceding certified federal census, for the  
8 following projects:

9 (a) For renovation of an existing public building to make  
10 the building useful for city department offices:  
11 ..... \$ 4,400,000

12 (b) For flood mitigation or renovation in and around an  
13 existing courthouse:  
14 ..... \$ 2,000,000

15 (3) To a city with a population between 198,000 and 199,000  
16 in the last preceding certified federal census to be allocated  
17 as follows:

18 (a) For site acquisition, design, engineering, and  
19 construction of a fire training and logistics center:  
20 ..... \$ 3,000,000

21 (b) For land acquisition, design, and construction of  
22 sewers, structures, and pumping facilities necessary to  
23 separate and convey sewer flow within the riverpoint service  
24 area:  
25 ..... \$ 1,250,000

26 (c) For land acquisition, design, and construction of  
27 sewers, structures, and pumping facilities necessary to  
28 separate or convey sewer flow within the Court avenue service  
29 area:  
30 ..... \$ 3,050,000

31 (d) For bank stabilization, stream bed stabilization, and  
32 erosion control on highly erodible ground that is impacting  
33 utilities, road infrastructure, and water quality:  
34 ..... \$ 700,000

35 (e) To improve utilization of two of the wastewater

1 reclamation authority's existing equalization basins for  
 2 the control of peak flows during wet weather events in the  
 3 authority's sewer system:  
 4 ..... \$ 500,000  
 5 (4) For a publicly owned acute care teaching hospital  
 6 located in a county with a population of over 350,000, for  
 7 the construction and renovation of patient access and care  
 8 facilities, equipment replacement and upgrades, and other  
 9 infrastructure improvements:  
 10 ..... \$ 1,000,000  
 11 (5) For a city with a population between 98,300 and 98,400  
 12 in the last preceding certified federal census, for flood  
 13 protection, replacement, and construction improvements to a  
 14 recreational sports facility:  
 15 ..... \$ 1,050,000  
 16 (6) For a city with a population between 68,700 and  
 17 68,800 in the last preceding certified federal census, for a  
 18 public works building that will allow the city to provide for  
 19 disaster-related services:  
 20 ..... \$ 5,000,000  
 21 (7) For a city with a population between 62,100 and  
 22 62,250 in the last preceding certified federal census, for  
 23 the demolition, relocation, and reconstruction of a public  
 24 wastewater treatment plant and the development of a public  
 25 green space:  
 26 ..... \$ 2,000,000  
 27 (8) For a city with a population between 2,545 and 2,555 in  
 28 the last preceding certified federal census, for a streetscape  
 29 project that reconstructs existing horizontal infrastructure  
 30 and lighting systems utilizing sustainable development  
 31 practices:  
 32 ..... \$ 1,175,000  
 33 (9) For a city with a population between 2,200 and 2,220 in  
 34 the last preceding certified federal census, for construction  
 35 of a public city building:

1 ..... \$ 475,000  
2 (10) For a city with a population between 2,558 and 2,565  
3 in the last preceding certified federal census, for the  
4 installation of backflow prevention devices for the city's  
5 storm sewer system:  
6 ..... \$ 600,000  
7 (11) For a city with a population between 6,875 and 6,890  
8 in the last preceding certified federal census, for the  
9 construction of grade control structures and associated grading  
10 to mitigate future water damage to residential structures:  
11 ..... \$ 300,000  
12 b. To the Iowa jobs board for a disaster prevention program  
13 created in section 16.194A for grants for cities and counties  
14 that apply smart planning principles and guidelines pursuant to  
15 sections 18B.1 and 18B.2, if enacted by 2010 Iowa Acts, Senate  
16 File 2265, sections 1 and 2:  
17 ..... \$ 30,000,000  
18 5. DEPARTMENT OF NATURAL RESOURCES  
19 a. For state park infrastructure improvements:  
20 ..... \$ 5,000,000  
21 Of the amount appropriated in this lettered paragraph,  
22 \$100,000 shall be allocated for the renovation of a clubhouse  
23 on a lake in a county with a population between 20,200 and  
24 20,250 in the last preceding certified federal census.  
25 b. For implementation of lake projects that have  
26 established watershed improvement initiatives and community  
27 support in accordance with the department's annual lake  
28 restoration plan and report:  
29 ..... \$ 3,000,000  
30 6. STATE BOARD OF REGENTS  
31 a. For costs associated with the construction and  
32 establishment of the Iowa institute for biomedical discovery at  
33 the state university of Iowa:  
34 ..... \$ 10,000,000  
35 b. For deposit into the alternate energy revolving loan

1 fund created in section 476.46 to encourage the development  
2 of alternate energy production facilities and small hydro  
3 facilities, as defined in section 476.42, within the state:

4 ..... \$ 5,000,000

5 Any award of loans to private individuals or organizations  
6 must be for the public purpose of encouraging the development  
7 of alternate energy production facilities and small hydro  
8 facilities within the state in order to conserve finite and  
9 expensive energy resources and to provide for their most  
10 efficient use. Funds from bond proceeds shall not be used for  
11 administration or planning purposes. These moneys, and any  
12 loan repayments, shall be maintained in separate accounts and  
13 shall only be used for these public purposes.

14 7. DEPARTMENT OF TRANSPORTATION

15 a. For grants for rail projects including wind energy rail  
16 port projects that provide assistance consistent with the  
17 purposes of section 327H.20A:

18 ..... \$ 7,500,000

19 Grants awarded pursuant to this lettered paragraph shall  
20 meet all of the following selection criteria:

21 (1) Be located in or adjacent to a rail industrial park.

22 (2) Be a facility that serves multiple industrial clients  
23 with one rail infrastructure investment.

24 (3) Accommodate building and loading a complete unit train  
25 in the rail port.

26 (4) Have connection tracks with adequate clearances to  
27 transport large components.

28 (5) Be located in an area with short unimpeded access for  
29 oversized wind components to a divided four-lane highway.

30 Priority in the awarding of grants shall be given to  
31 communities that have experienced exceptional economic  
32 setbacks. An additional preference shall be given to a county  
33 that has lost nine percent of its workforce to a permanent  
34 factory closing where the laid off workers are trade adjustment  
35 assistance eligible.

1     b. For the public transit infrastructure grant program in  
2 section 324A.6A:

3 ..... \$ 2,000,000

4     c. For infrastructure improvements at the commercial air  
5 service airports within the state:

6 ..... \$ 1,500,000

7     Fifty percent of the funds appropriated in this lettered  
8 paragraph shall be allocated equally between each commercial  
9 air service airport, forty percent of the funds shall be  
10 allocated based on the percentage that the number of enplaned  
11 passengers at each commercial air service airport bears to the  
12 total number of enplaned passengers in the state during the  
13 previous fiscal year, and ten percent of the funds shall be  
14 allocated based on the percentage that the air cargo tonnage  
15 at each commercial air service airport bears to the total air  
16 cargo tonnage in the state during the previous fiscal year. In  
17 order for a commercial air service airport to receive funding  
18 under this lettered paragraph, the airport shall be required  
19 to submit applications for funding of specific projects to the  
20 department for approval by the state transportation commission.

21     d. For infrastructure projects relating to functionally  
22 obsolete and structurally deficient bridges:

23 ..... \$ 10,000,000

24     8. TREASURER OF STATE

25     For transfer to the watershed improvement review board  
26 created in section 466A.3 for grants associated with the  
27 construction and restoration of wetland easements and flood  
28 prevention projects:

29 ..... \$ 2,000,000

30     Notwithstanding section 466A.5, moneys from the  
31 appropriation in this subsection shall not be used for  
32 administrative purposes.

33     Sec. 11. TAX-EXEMPT STATUS — USE OF APPROPRIATIONS.

34     1. Payment of moneys from the appropriations in this  
35 division of this Act shall be made in a manner that does not

1 adversely affect the tax-exempt status of any outstanding bonds  
2 issued by the treasurer of state.

3 2. Payment of moneys from the appropriations in this  
4 division of this Act shall not be used for administrative or  
5 planning purposes.

6 Sec. 12. REVERSION. For purposes of section 8.33, unless  
7 specifically provided otherwise, unencumbered or unobligated  
8 moneys made from an appropriation in this division of this Act  
9 shall not revert but shall remain available for expenditure for  
10 the purposes designated until the close of the fiscal year that  
11 ends three years after the end of the fiscal year for which the  
12 appropriation was made. However, if the project or projects  
13 for which such appropriation was made are completed in an  
14 earlier fiscal year, unencumbered or unobligated moneys shall  
15 revert at the close of that same fiscal year.

16 DIVISION V

17 PRISON BONDING

18 Sec. 13. There is appropriated from the FY 2009 prison  
19 bonding fund created pursuant to section 12.79 to the  
20 department of corrections for the fiscal year beginning July  
21 1, 2010, and ending June 30, 2011, the following amount, or  
22 so much thereof as is necessary, to be used for the purpose  
23 designated:

24 For costs associated with the building of a new Iowa State  
25 penitentiary at Fort Madison:

26 ..... \$ 322,500

27 The appropriation made in this section constitutes approval  
28 by the general assembly for the issuance of bonds by the  
29 treasurer of state pursuant to section 12.80.

30 Sec. 14. REVERSION. For purposes of section 8.33, unless  
31 specifically provided otherwise, unencumbered or unobligated  
32 moneys made from an appropriation in this division of this Act  
33 shall not revert but shall remain available for expenditure for  
34 the purposes designated until the close of the fiscal year that  
35 ends three years after the end of the fiscal year for which the

1 appropriation was made. However, if the project or projects  
2 for which such appropriation was made are completed in an  
3 earlier fiscal year, unencumbered or unobligated moneys shall  
4 revert at the close of that same fiscal year.

5

DIVISION VI

6 IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND —

7

DEPARTMENT OF TRANSPORTATION

8 Sec. 15. There is appropriated from the Iowa comprehensive  
9 petroleum underground storage tank fund to the department of  
10 transportation for the fiscal year beginning July 1, 2010, and  
11 ending June 30, 2011, the following amount, or so much thereof  
12 as is necessary, to be used for the purposes designated:

13 Notwithstanding section 455G.3, subsection 1, for deposit in  
14 the passenger rail service revolving fund created in section  
15 327J.2:

16 ..... \$ 2,000,000

17 Such funds shall be coupled with the remaining unobligated  
18 balance of up to one million five hundred thousand dollars from  
19 the appropriation made in 2009 Iowa Acts, chapter 184, section  
20 1, subsection 12, paragraph "a", for a total commitment of  
21 three million five hundred thousand dollars for the fiscal year  
22 beginning July 1, 2010, and ending June 30, 2011, for matching  
23 federal funding available through the Passenger Rail Investment  
24 and Improvement Act of 2008.

25

DIVISION VII

26

SMART PLANNING

27 Sec. 16. NEW SECTION. 18B.1 Iowa smart planning principles.

28 State agencies, local governments, and other public entities  
29 shall consider and may apply the following principles during  
30 deliberation of all appropriate planning, zoning, development,  
31 and resource management decisions:

32 1. *Collaboration.* Governmental, community, and individual  
33 stakeholders, including those outside the jurisdiction of the  
34 entity, are encouraged to be involved and provide comment  
35 during deliberation of planning, zoning, development, and



1 resource management decisions and during implementation of such  
2 decisions. The state agency, local government, or other public  
3 entity is encouraged to develop and implement a strategy to  
4 facilitate such participation.

5     2. *Efficiency, transparency, and consistency.* Planning,  
6 zoning, development, and resource management should be  
7 undertaken to provide efficient, transparent, and consistent  
8 outcomes. Individuals, communities, regions, and governmental  
9 entities should share in the responsibility to promote the  
10 equitable distribution of development benefits and costs.

11     3. *Clean, renewable, and efficient energy.* Planning, zoning,  
12 development, and resource management should be undertaken to  
13 promote clean and renewable energy use and increased energy  
14 efficiency.

15     4. *Occupational diversity.* Planning, zoning, development,  
16 and resource management should promote increased diversity  
17 of employment and business opportunities, promote access to  
18 education and training, expand entrepreneurial opportunities,  
19 and promote the establishment of businesses in locations near  
20 existing housing, infrastructure, and transportation.

21     5. *Revitalization.* Planning, zoning, development, and  
22 resource management should facilitate the revitalization  
23 of established town centers and neighborhoods by promoting  
24 development that conserves land, protects historic resources,  
25 promotes pedestrian accessibility, and integrates different  
26 uses of property. Remediation and reuse of existing  
27 sites, structures, and infrastructure is preferred over new  
28 construction in undeveloped areas.

29     6. *Housing diversity.* Planning, zoning, development, and  
30 resource management should encourage diversity in the types  
31 of available housing, support the rehabilitation of existing  
32 housing, and promote the location of housing near public  
33 transportation and employment centers.

34     7. *Community character.* Planning, zoning, development, and  
35 resource management should promote activities and development

1 that are consistent with the character and architectural style  
2 of the community and should respond to local values regarding  
3 the physical character of the community.

4 8. *Natural resources and agricultural protection.*

5 Planning, zoning, development, and resource management should  
6 emphasize protection, preservation, and restoration of natural  
7 resources, agricultural land, and cultural and historic  
8 landscapes, and should increase the availability of open spaces  
9 and recreational facilities.

10 9. *Sustainable design.* Planning, zoning, development, and  
11 resource management should promote developments, buildings, and  
12 infrastructure that utilize sustainable design and construction  
13 standards and conserve natural resources by reducing waste and  
14 pollution through efficient use of land, energy, water, air,  
15 and materials.

16 10. *Transportation diversity.* Planning, zoning,  
17 development, and resource management should promote expanded  
18 transportation options for residents of the community.  
19 Consideration should be given to transportation options that  
20 maximize mobility, reduce congestion, conserve fuel, and  
21 improve air quality.

22 Sec. 17. NEW SECTION. 18B.2 **Local comprehensive planning**  
23 **and development guidelines.**

24 1. For the purposes of this chapter, unless the context  
25 otherwise requires:

26 a. (1) "*Development*" means any of the following:

27 (a) Construction, reconstruction, renovation, mining,  
28 extraction, dredging, filling, excavation, or drilling activity  
29 or operation.

30 (b) Man-made changes in the use or appearance of any  
31 structure or in the land itself.

32 (c) The division or subdivision of land.

33 (d) Any change in the intensity of use or the use of land.

34 (2) "*Development*" does not include any of the following:

35 (a) Activities on or uses of agricultural land, farm houses,

1 or agricultural buildings or structures, unless such buildings  
2 or structures are located in the flood plain of a river or  
3 stream.

4 (b) Installation, operation, and maintenance of soil and  
5 water conservation practices.

6 (c) The choice of crops or a change in the choice of crops  
7 on agricultural land.

8 *b. "Land development regulations"* means zoning, subdivision,  
9 site plan, corridor map, floodplain or storm water ordinances,  
10 rules, or regulations, or other governmental controls that  
11 affect the use of property.

12 *c. "Municipality"* means a city or a county.

13 2. A municipality shall consider the smart planning  
14 principles under section 18B.1 and may include the following  
15 information, if applicable, when developing or amending  
16 a comprehensive plan under chapter 335 or chapter 414 or  
17 when developing or amending other local land development  
18 regulations:

19 *a.* Information relating to public participation during  
20 the creation of the comprehensive plan or land development  
21 regulations, including documentation of the public  
22 participation process, a compilation of objectives, policies,  
23 and goals identified in the public comment received, and  
24 identification of the groups or individuals comprising any work  
25 groups or committees that were created to assist the planning  
26 and zoning commission or other appropriate decision-making body  
27 of the municipality.

28 *b.* Information relating to the primary characteristics  
29 of the municipality and a description of how each of those  
30 characteristics impacts future development of the municipality.  
31 Such information may include historical information about  
32 the municipality, the municipality's geography, natural  
33 resources, natural hazards, population, demographics, types of  
34 employers and industry, labor force, political and community  
35 institutions, housing, transportation, educational resources,

1 and cultural and recreational resources. The comprehensive  
2 plan or land development regulations may also identify  
3 characteristics and community aesthetics that are important to  
4 future development of the municipality.

5     *c.* Objectives, information, and programs that identify  
6 current land uses within the municipality and that guide the  
7 future development and redevelopment of property, consistent  
8 with the municipality's characteristics identified under  
9 paragraph "b". The comprehensive plan or land development  
10 regulations may include information on the amount, type,  
11 intensity, and density of existing land use, trends in  
12 the market price of land used for specific purposes, and  
13 plans for future land use throughout the municipality. The  
14 comprehensive plan or land development regulations may identify  
15 and include information on property that has the possibility  
16 for redevelopment, a map of existing and potential land use  
17 and land use conflicts, information and maps relating to  
18 the current and future provision of utilities within the  
19 municipality, information and maps that identify the current  
20 and future boundaries for areas reserved for soil conservation,  
21 water supply conservation, flood control, and surface water  
22 drainage and removal. Information provided under this  
23 paragraph may also include an analysis of the current and  
24 potential impacts on local watersheds and air quality.

25     *d.* Objectives, policies, and programs to further the  
26 vitality and character of established residential neighborhoods  
27 and new residential neighborhoods and plans to ensure an  
28 adequate housing supply that meets both the existing and  
29 forecasted housing demand. The comprehensive plan or land  
30 development regulations may include an inventory and analysis  
31 of the local housing stock and may include specific information  
32 such as age, condition, type, market value, occupancy, and  
33 historical characteristics of all the housing within the  
34 municipality. The comprehensive plan or land development  
35 regulations may identify specific policies and programs that

1 promote the development of new housing and maintenance or  
2 rehabilitation of existing housing and that provide a range of  
3 housing choices that meet the needs of the residents of the  
4 municipality.

5     *e.* Objectives, policies, and programs to guide future  
6 development of utilities such as sanitary sewer service,  
7 storm water management, water supply, solid waste disposal,  
8 wastewater treatment technologies, recycling facilities,  
9 telecommunications facilities, power generating plants, and  
10 transmission lines. The comprehensive plan or land development  
11 regulations may include estimates regarding future demand for  
12 such utility services.

13     *f.* Objectives, policies, and programs to guide the future  
14 development of a safe, convenient, efficient, and economical  
15 transportation system. Plans for such a transportation system  
16 may be coordinated with state and regional transportation  
17 plans and take into consideration the need for diverse modes  
18 of transportation, accessibility, improved air quality, and  
19 interconnectivity of the various modes of transportation.

20     *g.* Objectives, policies, and programs to promote the  
21 stabilization, retention, or expansion of economic development  
22 and employment opportunities. The comprehensive plan or land  
23 development regulations may include an analysis of current  
24 industries and economic activity and identify economic growth  
25 goals for the municipality. The comprehensive plan or land  
26 development regulations may also identify locations for future  
27 brownfield or grayfield development.

28     *h.* Objectives, policies, and programs addressing  
29 preservation and protection of agricultural and natural  
30 resources.

31     *i.* Objectives, policies, and programs to assist future  
32 development of educational facilities, cemeteries, health  
33 care facilities, child care facilities, law enforcement and  
34 fire protection facilities, libraries, and other governmental  
35 facilities that are necessary or desirable to meet the

1 projected needs of the municipality.

2     *j.* Objectives, policies, and programs to identify  
3 characteristics and qualities that make the municipality unique  
4 and that are important to the municipality's heritage and  
5 quality of life.

6     *k.* Objectives, policies, and programs that identify the  
7 natural and other hazards that have the greatest likelihood of  
8 impacting the municipality or that pose a risk of catastrophic  
9 damage as such hazards relate to land use and development  
10 decisions, as well as the steps necessary to mitigate risk  
11 after considering the local hazard mitigation plan approved by  
12 the federal emergency management agency.

13     *l.* Objectives, policies, and programs for joint planning  
14 and joint decision making with other municipalities or  
15 governmental entities, including school districts and drainage  
16 districts, for siting and constructing public facilities and  
17 sharing public services. The comprehensive plan or land  
18 development regulations may identify existing or potential  
19 conflicts between the municipality and other local governments  
20 related to future development of the municipality and may  
21 include recommendations for resolving such conflicts. The  
22 comprehensive plan or land development regulations may  
23 also identify opportunities to collaborate and partner with  
24 neighboring jurisdictions and other entities in the region for  
25 projects of mutual interest.

26     *m.* A compilation of programs and specific actions necessary  
27 to implement any provision of the comprehensive plan, including  
28 changes to any applicable land development regulations,  
29 official maps, or subdivision ordinances.

30     3. A municipality's comprehensive plan developed using the  
31 guidelines under this section shall address prevention and  
32 mitigation of, response to, and recovery from a catastrophic  
33 flood.

34     Sec. 18. Section 28I.4, Code 2009, is amended to read as  
35 follows:

1     **28I.4 Powers and duties.**

2     1. The commission shall have the power and duty to  
3 make comprehensive studies and plans for the development  
4 of the area it serves which will guide the unified  
5 development of the area and which will eliminate planning  
6 duplication and promote economy and efficiency in the  
7 ~~co-ordinated~~ coordinated development of the area and the  
8 general welfare, convenience, safety, and prosperity of its  
9 people. The plan or plans collectively shall be known as  
10 the regional or metropolitan development plan. The plans  
11 for the development of the area may include, but shall not  
12 be limited to, recommendations with respect to existing  
13 and proposed highways, bridges, airports, streets, parks  
14 and recreational areas, schools and public institutions and  
15 public utilities, public open spaces, and sites for public  
16 buildings and structures; districts for residence, business,  
17 industry, recreation, agriculture, and forestry; water supply,  
18 sanitation, drainage, protection against floods and other  
19 disasters; areas for housing developments, slum clearance  
20 and urban renewal and redevelopment; location of private  
21 and public utilities, including but not limited to sewerage  
22 and water supply systems; and such other recommendations  
23 concerning current and impending problems as may affect the  
24 area served by the commission. Time and priority schedules and  
25 cost estimates for the accomplishment of the recommendations  
26 may also be included in the plans. The plans shall be made  
27 with consideration of the smart planning principles under  
28 section 18B.1. The plans shall be based upon and include  
29 appropriate studies of the location and extent of present  
30 and anticipated populations; social, physical, and economic  
31 resources, problems and trends; and governmental conditions and  
32 trends. The commission is also authorized to make surveys,  
33 land-use studies, and urban renewal plans, provide technical  
34 services and other planning work for the area it serves and  
35 for cities, counties, and other political subdivisions in

1 the area. A plan or plans of the commission may be adopted,  
 2 added to, and changed from time to time by a majority  
 3 vote of the planning commission. The plan or plans may in  
 4 whole or in part be adopted by the governing bodies of the  
 5 ~~co-operating~~ cooperating cities and counties as the general  
 6 plans of such cities and counties. The commission may also  
 7 assist the governing bodies and other public authorities or  
 8 agencies within the area it serves in carrying out any regional  
 9 plan or plans, and assist any planning commission, board or  
 10 agency of the cities and counties and political subdivisions  
 11 in the preparation or effectuation of local plans and planning  
 12 consistent with the program of the commission. The commission  
 13 may ~~co-operate~~ cooperate and confer, as far as possible, with  
 14 planning agencies of other states or of regional groups of  
 15 states adjoining its area.

16 2. A planning commission formed under the provisions of  
 17 this chapter shall, upon designation as such by the governor,  
 18 serve as a district, regional, or metropolitan agency for  
 19 comprehensive planning for its area for the purpose of carrying  
 20 out the functions as defined for such an agency by federal,  
 21 state, and local laws and regulations.

22 Sec. 19. Section 329.3, Code 2009, is amended to read as  
 23 follows:

24 **329.3 Zoning regulations — powers granted.**

25 Every municipality having an airport hazard area within  
 26 its territorial limits may adopt, administer, and enforce  
 27 in the manner and upon the conditions prescribed by this  
 28 chapter, zoning regulations for such airport hazard area,  
 29 which regulations may divide such area into zones and, within  
 30 such zones, specify the land uses permitted, and regulate  
 31 and restrict, for the purpose of preventing airport hazards,  
 32 the height to which structures and trees may be erected or  
 33 permitted to grow. Regulations adopted under this chapter  
 34 shall be made with consideration of the smart planning  
 35 principles under section 18B.1.



1     Sec. 20. Section 335.5, Code 2009, is amended to read as  
2 follows:

3     **335.5 Objectives.**

4     1. The regulations shall be made in accordance with a  
5 comprehensive plan and designed to preserve the availability  
6 of agricultural land; to consider the protection of soil  
7 from wind and water erosion; to encourage efficient urban  
8 development patterns; to lessen congestion in the street or  
9 highway; to secure safety from fire, flood, panic, and other  
10 dangers; to protect health and the general welfare; to provide  
11 adequate light and air; to prevent the overcrowding of land;  
12 to avoid undue concentration of population; to promote the  
13 conservation of energy resources; to promote reasonable access  
14 to solar energy; and to facilitate the adequate provision of  
15 transportation, water, sewerage, schools, parks, and other  
16 public requirements. However, provisions of this section  
17 relating to the objectives of energy conservation and access  
18 to solar energy shall not be construed as voiding any zoning  
19 regulation existing on July 1, 1981, or to require zoning in a  
20 county that did not have zoning prior to July 1, 1981.

21     2. ~~Such~~ The regulations shall be made with reasonable  
22 consideration, among other things, as to the character of the  
23 area of the district and the peculiar suitability of such area  
24 for particular uses, and with a view to conserving the value  
25 of buildings and encouraging the most appropriate use of land  
26 throughout such county.

27     3. The regulations and comprehensive plan shall be made with  
28 consideration of the smart planning principles under section  
29 18B.1 and may include the information specified in section  
30 18B.2, subsection 2.

31     4. a. A comprehensive plan recommended for adoption by  
32 the zoning commission established under section 335.8, may be  
33 adopted by the board of supervisors. The board of supervisors  
34 may amend a proposed comprehensive plan prior to adoption. The  
35 board of supervisors shall publish notice of the meeting at

1 which the comprehensive plan will be considered for adoption.

2 The notice shall be published as provided in section 331.305.

3 b. Following its adoption, copies of the comprehensive plan  
4 shall be sent or made available to neighboring counties, cities  
5 within the county, the council of governments or regional  
6 planning commission where the county is located, and public  
7 libraries within the county.

8 c. Following its adoption, a comprehensive plan may be  
9 amended by the board of supervisors at any time.

10 Sec. 21. Section 335.8, Code 2009, is amended to read as  
11 follows:

12 **335.8 Commission appointed.**

13 1. In order to avail itself of the powers conferred by this  
14 chapter, the board of supervisors shall appoint a commission,  
15 a majority of whose members shall reside within the county  
16 but outside the corporate limits of any city, to be known as  
17 the county zoning commission, to recommend the boundaries of  
18 the various original districts, and appropriate regulations  
19 and restrictions to be enforced therein. Such commission  
20 shall, with due diligence, prepare a preliminary report and  
21 hold public hearings thereon before submitting its final  
22 report; and the board of supervisors shall not hold its public  
23 hearings or take action until it has received the final report  
24 of such commission. After the adoption of such regulations,  
25 restrictions, and boundaries of districts, the zoning  
26 commission may, from time to time, recommend to the board of  
27 supervisors amendments, supplements, changes or modifications.

28 2. The zoning commission may recommend to the board of  
29 supervisors for adoption a comprehensive plan pursuant to  
30 section 335.5, or amendments thereto.

31 3. The zoning commission, with the approval of the board  
32 of supervisors, may contract with professional consultants,  
33 regional planning commissions, the Iowa department of economic  
34 development, or the federal government, for local planning  
35 assistance.

1     Sec. 22. Section 414.3, Code 2009, is amended to read as  
2 follows:

3     **414.3 Basis of regulations.**

4     1. The regulations shall be made in accordance with a  
5 comprehensive plan and designed to preserve the availability of  
6 agricultural land; to consider the protection of soil from wind  
7 and water erosion; to encourage efficient urban development  
8 patterns; to lessen congestion in the street; to secure safety  
9 from fire, flood, panic, and other dangers; to promote health  
10 and the general welfare; to provide adequate light and air; to  
11 prevent the overcrowding of land; to avoid undue concentration  
12 of population; to promote the conservation of energy resources;  
13 to promote reasonable access to solar energy; and to facilitate  
14 the adequate provision of transportation, water, sewerage,  
15 schools, parks, and other public requirements. However,  
16 provisions of this section relating to the objectives of energy  
17 conservation and access to solar energy do not void any zoning  
18 regulation existing on July 1, 1981, or require zoning in a  
19 city that did not have zoning prior to July 1, 1981.

20     2. ~~Such~~ The regulations shall be made with reasonable  
21 consideration, among other things, as to the character of the  
22 area of the district and the peculiar suitability of such area  
23 for particular uses, and with a view to conserving the value  
24 of buildings and encouraging the most appropriate use of land  
25 throughout such city.

26     3. The regulations and comprehensive plan shall be made with  
27 consideration of the smart planning principles under section  
28 18B.1 and may include the information specified in section  
29 18B.2, subsection 2.

30     4. a. A comprehensive plan recommended for adoption by  
31 the zoning commission established under section 414.6, may be  
32 adopted by the council. The council may amend the proposed  
33 comprehensive plan prior to adoption. The council shall  
34 publish notice of the meeting at which the comprehensive plan  
35 will be considered for adoption. The notice shall be published

1 as provided in section 362.3.

2 b. Following its adoption, copies of the comprehensive plan  
3 shall be sent or made available to the county in which the city  
4 is located, neighboring counties and cities, the council of  
5 governments or regional planning commission where the city is  
6 located, and public libraries within the city.

7 c. Following its adoption, a comprehensive plan may be  
8 amended by the council at any time.

9 Sec. 23. Section 414.6, Code 2009, is amended to read as  
10 follows:

11 **414.6 Zoning commission.**

12 1. In order to avail itself of the powers conferred by  
13 this chapter, the council shall appoint a commission, to be  
14 known as the zoning commission, to recommend the boundaries of  
15 the various original districts, and appropriate regulations  
16 and restrictions to be enforced therein. Where a city plan  
17 commission already exists, it may be appointed as the zoning  
18 commission. Such commission shall, with due diligence, prepare  
19 a preliminary report and hold public hearings thereon before  
20 submitting its final report; and such council shall not hold  
21 its public hearings or take action until it has received the  
22 final report of such commission. After the adoption of such  
23 regulations, restrictions, and boundaries of districts, the  
24 zoning commission may, from time to time, recommend to the  
25 council amendments, supplements, changes, or modifications.

26 2. The zoning commission may recommend to the council for  
27 adoption a comprehensive plan pursuant to section 414.3, or  
28 amendments thereto.

29 **Sec. 24. IOWA SMART PLANNING TASK FORCE.**

30 1. An Iowa smart planning task force is established  
31 consisting of twenty-nine voting members and four ex officio,  
32 nonvoting members.

33 2. Members of the task force shall consist of all of the  
34 following:

35 a. Fourteen state agency director or administrator members

1 consisting of all of the following:

2 (1) The director of the department on aging or the  
3 director's designee.

4 (2) The director of the department of economic development  
5 or the director's designee.

6 (3) The secretary of agriculture and land stewardship or the  
7 secretary's designee.

8 (4) The director of the department of cultural affairs or  
9 the director's designee.

10 (5) The director of the department of public health or the  
11 director's designee.

12 (6) The director of the department of management or the  
13 director's designee.

14 (7) The director of the department of natural resources or  
15 the director's designee.

16 (8) The director of the department of workforce development  
17 or the director's designee.

18 (9) The director of the office of energy independence or the  
19 director's designee.

20 (10) The director of the department of transportation or the  
21 director's designee.

22 (11) The administrator of the homeland security and  
23 emergency management division of the department of public  
24 defense or the administrator's designee.

25 (12) The director of the rebuild Iowa office or the  
26 director's designee.

27 (13) The state building code commissioner or the  
28 commissioner's designee.

29 (14) The chairperson of the utilities board within the  
30 utilities division of the department of commerce or the  
31 chairperson's designee.

32 b. Chairperson of the department of community and regional  
33 planning at Iowa state university or the chairperson's  
34 designee.

35 c. Director of the urban and regional planning program at

- 1 the university of Iowa or the director's designee.
- 2 d. Director of the institute for decision making at the  
3 university of northern Iowa or the director's designee.
- 4 e. President of the Iowa chapter of the American planning  
5 association or the president's designee.
- 6 f. Executive director of the Iowa association of regional  
7 councils or the executive director's designee.
- 8 g. President of the Iowa chapter of the American institute  
9 of architects or the president's designee.
- 10 h. Executive director of the Iowa league of cities or the  
11 executive director's designee.
- 12 i. Executive director of the Iowa state association of  
13 counties or the executive director's designee.
- 14 j. President of the executive committee of the school  
15 administrators of Iowa or the president's designee.
- 16 k. A representative appointed by the governor from a city  
17 having a population of five thousand or less according to the  
18 2000 certified federal census.
- 19 l. A representative appointed by the governor from a city  
20 having a population of more than five thousand and less than  
21 twenty-five thousand according to the 2000 certified federal  
22 census.
- 23 m. A representative appointed by the governor from a city  
24 having a population of twenty-five thousand or more according  
25 to the 2000 certified federal census.
- 26 n. A representative appointed by the governor from a county  
27 having a population of ten thousand or less according to the  
28 2000 certified federal census.
- 29 o. A representative appointed by the governor from a county  
30 having a population of more than ten thousand and less than  
31 fifty thousand according to the 2000 certified federal census.
- 32 p. A representative appointed by the governor from a county  
33 having a population of fifty thousand or more according to the  
34 2000 certified federal census.
- 35 3. The task force shall include four members of the general

1 assembly serving as ex officio, nonvoting members, with not  
2 more than one member from each chamber being from the same  
3 political party. The two senators shall be appointed one each  
4 by the majority leader of the senate after consultation with  
5 the president of the senate, and by the minority leader of the  
6 senate. The two representatives shall be appointed one each by  
7 the speaker of the house of representatives after consultation  
8 with the majority leader of the house of representatives, and  
9 by the minority leader of the house of representatives.

10 4. The task force may establish committees and  
11 subcommittees comprised of members of the task force.

12 5. Members of the task force designated in subsection 2,  
13 paragraphs "k" through "p" shall serve at the pleasure of the  
14 governor. For the members of the task force designated in  
15 subsection 2, paragraphs "k" through "p", at least one member  
16 shall have experience in real estate, at least one member shall  
17 have experience in land development, and at least one member  
18 shall have experience in residential construction.

19 6. A vacancy on the task force shall be filled in the same  
20 manner as the original appointment.

21 7. a. A majority of the members of the task force  
22 constitutes a quorum. Any action taken by the task force  
23 must be adopted by the affirmative vote of a majority of its  
24 membership. A task force member's designee may vote on task  
25 force matters in the absence of the member.

26 b. The task force shall elect a chairperson and vice  
27 chairperson from the membership of the task force.

28 c. The task force shall meet at least four times before  
29 November 15, 2010. Meetings of the task force may be called  
30 by the chairperson or by a majority of the members. However,  
31 the first meeting of the task force shall be called by the  
32 governor.

33 d. Members of the task force shall not be compensated for  
34 meeting participation or reimbursed for costs associated with  
35 meeting attendance. A legislative member is not eligible for

1 per diem and expenses as provided in section 2.10.

2 8. The director of the department of management, or the  
3 director's designee, shall provide staff assistance and  
4 administrative support to the task force. The task force  
5 may request information or other assistance from the Iowa  
6 association of regional councils.

7 9. The director of the department of management, or the  
8 director's designee, shall seek funding to support municipal  
9 comprehensive planning in this state.

10 10. The task force shall comply with the requirements of  
11 chapters 21 and 22. The department of management shall be the  
12 official repository of task force records.

13 11. The duties of the task force shall include but are not  
14 limited to the following:

15 a. Consult land use experts, representatives of cities  
16 and counties, agricultural and environmental interests, urban  
17 and regional planning experts, reports or information from  
18 the local government innovation commission, and all other  
19 information deemed relevant by task force members.

20 b. Solicit information from the general public on matters  
21 related to comprehensive planning.

22 c. Evaluate state policies, programs, statutes, and rules  
23 to determine whether any state policies, programs, statutes, or  
24 rules should be revised to integrate the Iowa smart planning  
25 principles under section 18B.1.

26 d. Develop statewide goals for comprehensive planning that  
27 utilize the Iowa smart planning principles under section 18B.1,  
28 and develop recommendations for a process to measure progress  
29 toward achieving those goals.

30 e. Evaluate and develop incentives to conduct local and  
31 regional comprehensive planning, including but not limited to  
32 state financial and technical assistance.

33 f. Develop a model for regional comprehensive planning  
34 within the state and recommend partnerships between state  
35 agencies, local governments, educational institutions, and



1 research facilities.

2 g. Review municipal comprehensive plans to determine the  
3 number of such plans that address the hazards identified in  
4 section 18B.2, subsection 2, paragraph "k", and the adequacy of  
5 such plans in addressing those hazards.

6 h. Develop a set of recommendations that is consistent with  
7 the Iowa smart planning principles under section 18B.1 and that  
8 does all of the following:

9 (1) Coordinates, facilitates, and centralizes the exchange  
10 of information related to state and local planning, zoning, and  
11 development between state agencies and the general assembly.

12 (2) Coordinates discussions concerning a proposed  
13 geographic information system between the producers and the  
14 users of such systems.

15 (3) Allows the efficient production and dissemination of  
16 population and other demographic statistical forecasts.

17 (4) Creates a centralized electronic storage location for  
18 all comprehensive plans adopted under chapter 335 or chapter  
19 414.

20 (5) Facilitates the cooperation of state and local  
21 governments with comprehensive planning, educational, and  
22 research programs.

23 (6) Provides and administers technical and financial  
24 assistance for state and local comprehensive planning.

25 (7) Provides information to local governments relating  
26 to state and federal resources and other resources for  
27 comprehensive planning.

28 i. (1) Develop a model ordinance for the regulation of  
29 a two-tenths percent floodplain by political subdivisions.  
30 The model ordinance shall include a definition of the  
31 term "two-tenths percent floodplain" as applicable to the  
32 ordinance's provisions.

33 (2) The taskforce may consider all of the following in the  
34 model ordinance:

35 (a) Requirements for the purchase of flood insurance for

1 property.

2 (b) Requirements for new development or modification or  
3 improvement of existing development to mitigate the effects of  
4 future flooding.

5 (c) The effect of flood control levees.

6 (d) The use of fill and offsets required for the use of  
7 fill.

8 (e) Categories of development that should be prohibited.

9 (f) Interaction with regulations by the federal emergency  
10 management agency.

11 (g) Any other issues that the taskforce finds should be  
12 addressed in the model ordinance.

13 12. The task force shall prepare a report that includes  
14 goals, recommendations, and other information described in  
15 subsection 11, to the governor and the general assembly on or  
16 before November 15, 2010.

17 13. The task force is dissolved on December 31, 2012.

18 DIVISION VIII

19 GROW IOWA VALUES FUND

20 Sec. 25. There is appropriated from the rebuild Iowa  
21 infrastructure fund to the department of economic development  
22 for deposit in the grow Iowa values fund, for the fiscal year  
23 beginning July 1, 2010, and ending June 30, 2011, the following  
24 amount, notwithstanding section 8.57, subsection 6, paragraph  
25 "c":

26 ..... \$ 38,000,000

27 Sec. 26. GROW IOWA VALUES FUND APPROPRIATION REDUCTION. In  
28 lieu of the \$50,000,000 appropriated for the fiscal year  
29 beginning July 1, 2010, and ending June 30, 2011, from  
30 the grow Iowa values fund to the department of economic  
31 development pursuant to section 15G.111, subsection 3, there is  
32 appropriated from the grow Iowa values fund to the department  
33 of economic development for the fiscal year beginning July 1,  
34 2010, and ending June 30, 2011, \$38,000,000 for the purposes of  
35 making expenditures pursuant to chapter 15G.

1     Sec. 27. GROW IOWA VALUES FUND ALLOCATIONS. In lieu of the  
2 amounts allocated pursuant to section 15G.111, subsections 4  
3 through 10, for the fiscal year beginning July 1, 2010, and  
4 ending June 30, 2011, of the \$38,000,000 appropriated to the  
5 department of economic development pursuant to this division of  
6 this Act, the department shall allocate the following amounts  
7 for the following purposes as described in section 15G.111,  
8 subsections 4 through 10:

- 9     1. For departmental purposes, \$21,363,600.
- 10    2. For the state board of regents institutions, \$3,800,000.
- 11    3. For state parks, \$760,000.
- 12    4. For deposit in the Iowa cultural trust fund, \$760,000.
- 13    5. For community colleges, \$5,320,000.
- 14    6. For regional financial assistance, \$760,000.

15     Of the moneys allocated pursuant to this subsection and in  
16 lieu of the three hundred fifty thousand dollars transferred  
17 under section 15G.111, subsection 9, paragraph "a", the  
18 department shall transfer two hundred sixty-six thousand  
19 dollars to Iowa state university of science and technology, for  
20 purposes of providing financial assistance to establish small  
21 business development centers.

- 22    7. For commercialization services, \$4,389,000.
- 23    8. For targeted small business, \$847,400.

24     Sec. 28. Section 15.247, subsection 3, Code Supplement  
25 2009, is amended to read as follows:

26     3. a. All moneys designated for the targeted small business  
27 financial assistance program shall be credited to the program  
28 account. The department shall determine the actuarially  
29 sound reserve requirement for the amount of guaranteed loans  
30 outstanding.

31     b. Of the moneys credited to the program account, the  
32 department may allocate an amount necessary for marketing and  
33 compliance and an amount for the provision of the mentoring  
34 services required under subsection 7.

35     Sec. 29. Section 15G.110, Code Supplement 2009, is amended

1 to read as follows:

2 **15G.110 Appropriation.**

3 1. For the fiscal period beginning July 1, 2005, and ending  
4 June 30, 2008, and for the fiscal period beginning July 1,  
5 ~~2010~~ 2011, and ending June 30, 2015, there is appropriated to  
6 the department of economic development each fiscal year fifty  
7 million dollars from the general fund of the state for deposit  
8 in the grow Iowa values fund.

9 2. For the fiscal period beginning July 1, 2008, and ending  
10 June 30, ~~2010~~ 2011, there is appropriated to the department of  
11 economic development each fiscal year fifty million dollars  
12 from the rebuild Iowa infrastructure fund for deposit in the  
13 grow Iowa values fund, notwithstanding section 8.57, subsection  
14 6, paragraph "c".

15 Sec. 30. Section 15G.111, subsection 2, paragraph b, Code  
16 Supplement 2009, is amended to read as follows:

17 b. Moneys credited to the fund are not subject to section  
18 8.33. Notwithstanding section 12C.7, interest or earnings on  
19 moneys in the fund shall be credited to the fund. Interest  
20 or earnings on moneys in the fund are appropriated to the  
21 department. Of the moneys appropriated to the department  
22 pursuant to this paragraph, the department shall make the  
23 following allocations:

24 (1) For each fiscal year of the fiscal period beginning  
25 July 1, 2010, and ending June 30, 2013, the department shall  
26 allocate not more than one hundred seventy-five thousand  
27 dollars for purposes of providing financial assistance to  
28 Iowa's councils of governments.

29 (2) For each fiscal year of the fiscal period beginning  
30 July 1, 2010, and ending June 30, 2013, the department shall  
31 allocate not more than two hundred thousand dollars for  
32 purposes of providing support and administrative assistance to  
33 the vision Iowa board, the community attraction and tourism  
34 program, and river enhancement community attraction and tourism  
35 projects.

1     (3) For each fiscal year of the fiscal period beginning  
 2 July 1, 2010, and ending June 30, 2013, the department shall  
 3 allocate the remaining amount of interest or earnings on moneys  
 4 in the fund for purposes of providing financial assistance  
 5 under the disaster recovery component of the grow Iowa values  
 6 financial assistance program. All moneys allocated pursuant to  
 7 this subparagraph that remain unexpended or unobligated at the  
 8 end of the fiscal year beginning July 1, 2012, shall revert and  
 9 be credited to the fund.

10     Sec. 31. Section 15G.111, subsection 4, unnumbered  
 11 paragraph 1, Code Supplement 2009, is amended to read as  
 12 follows:

13     Of the moneys appropriated to the department pursuant  
 14 to subsection 3, the department shall allocate  
 15 ~~thirty-two~~ twenty-eight million five hundred thousand dollars  
 16 each fiscal year as follows:

17     Sec. 32. Section 15G.111, subsection 10, Code Supplement  
 18 2009, is amended to read as follows:

19     10. Commercialization Innovation and commercialization  
 20 services. Of the moneys appropriated to the department  
 21 pursuant to subsection 3, the department shall allocate  
 22 ~~three~~ five million five hundred thousand dollars for deposit in  
 23 the innovation and commercialization development fund created  
 24 in section 15.412.

25     Sec. 33. Section 15G.111, Code Supplement 2009, is amended  
 26 by adding the following new subsection:

27     NEW SUBSECTION. 11. *Targeted small businesses.* Of the  
 28 moneys appropriated to the department pursuant to subsection 3,  
 29 the department shall allocate one million dollars for deposit  
 30 in the targeted small business financial assistance program  
 31 account established pursuant to section 15.247 within the  
 32 strategic investment fund created in section 15.313.

### DIVISION IX

#### SMALL BUSINESS LINKED INVESTMENTS

35     Sec. 34. Section 12.43, subsection 5, unnumbered paragraph

1 1, Code 2009, is amended to read as follows:

2 In order to qualify under this program, all owners of the  
3 business or borrowers must not have a combined net worth  
4 exceeding ~~seven~~ nine hundred ~~fifty~~ seventy-five thousand  
5 dollars as defined in rules adopted by the treasurer of state  
6 pursuant to chapter 17A and the small business must meet all of  
7 the following criteria:

8 DIVISION X

9 SITE DEVELOPMENT

10 Sec. 35. Section 15E.18, Code 2009, is amended by striking  
11 the section and inserting in lieu thereof the following:

12 **15E.18 Site development consultations — certificates of**  
13 **readiness.**

14 1. *a.* The department shall consult with local governments  
15 and local economic development officials in regard to site  
16 development techniques. For purposes of this section, "*site*  
17 *development techniques*" include environmental evaluations,  
18 property and wetland delineation, and historical evaluations.

19 *b.* The department may charge a fee for providing site  
20 development consultations. The fee shall not exceed  
21 the reasonable cost to the department of providing the  
22 consultations. The amount of any fees collected by the  
23 department shall be deposited in the general fund of the state.

24 2. *a.* A local government or local economic development  
25 official involved with the development of a site may apply to  
26 the department for a certificate of readiness verifying that  
27 the site is ready for development.

28 *b.* The department shall develop criteria for evaluating  
29 various types of sites in order to determine whether a  
30 particular site is ready for development based on the site's  
31 individual circumstances and the economic development goals of  
32 the applicant.

33 *c.* The department shall review applications for certificates  
34 of readiness and may issue a certificate of readiness to any  
35 site that meets the criteria developed under paragraph "*b*".

1 3. The department shall adopt rules pursuant to chapter 17A  
2 for the implementation of this section.

3 Sec. 36. SITE DEVELOPMENT CONSULTATIONS APPROPRIATION.

4 There is appropriated from the school infrastructure fund  
5 created in section 12.82 to the department of economic  
6 development for the fiscal year beginning July 1, 2010, and  
7 ending June 30, 2011, the following amount, or so much thereof  
8 as is necessary, to be used for the purposes designated:

9 For providing site development consultations pursuant to  
10 section 15E.18, including salaries, support, maintenance,  
11 miscellaneous purposes, and for not more than the following  
12 full-time equivalent positions:

13 .....	\$	175,000
14 .....	FTEs	1.00

15 Of the moneys appropriated to the department pursuant to  
16 this section, the department may allocate up to \$75,000 for  
17 purposes of contracting with third parties to provide site  
18 development consultations.

19 DIVISION XI

20 INTERNET SITE FOR BUSINESS

21 ASSISTANCE

22 Sec. 37. BUSINESS ASSISTANCE INTERNET SITE.

23 1. The department of economic development, in consultation  
24 with other state agencies that provide financial and technical  
25 assistance to small businesses and with the state board of  
26 regents, shall create a business assistance internet site  
27 designed to assist small businesses in finding information  
28 related to the various kinds of technical and financial  
29 assistance available from the state of Iowa. The department  
30 may incorporate the internet site into its existing internet  
31 site as appropriate.

32 2. The internet site shall include links to the various  
33 internet sites maintained by other state agencies or the  
34 state board of regents that pertain to assistance for small  
35 businesses. The other state agencies and the board of regents

1 shall assist the department of economic development in an  
2 effort to keep the information on the internet site up-to-date.  
3 The department of administrative services shall work with the  
4 department of economic development to ensure that the internet  
5 site is readily accessible to the public.

6     Sec. 38. BUSINESS ASSISTANCE INTERNET SITE APPROPRIATION.

7 There is appropriated from the school infrastructure fund  
8 created in section 12.82 to the department of economic  
9 development for the fiscal year beginning July 1, 2010, and  
10 ending June 30, 2011, the following amount, or so much thereof  
11 as is necessary, to be used for the purposes designated:

12     For purposes of creating a business assistance internet  
13 site:

14 ..... \$           20,000

15                     DIVISION XII

16                     REGULATORY ASSISTANCE INTERIM

17                     STUDY COMMITTEE

18     Sec. 39. REGULATORY ASSISTANCE INTERIM STUDY COMMITTEE.

19     1. The legislative council is requested to establish an  
20 interim study committee to examine and make recommendations  
21 regarding methods of assisting small business that do not  
22 require direct financial incentives and regarding potential  
23 changes of law that would improve business licensing,  
24 regulatory compliance, and tax collection procedures.

25     2. The study committee shall be composed of five members of  
26 the house of representatives, five members of the senate, and  
27 five members of the general public who are also small business  
28 owners. Of the members of the senate, three members shall be  
29 appointed by the majority leader of the senate and two shall  
30 be appointed by the minority leader of the senate. Of the  
31 members of the house of representatives, three members shall  
32 be appointed by the speaker of the house of representatives,  
33 and two shall be appointed by the minority leader of the house  
34 of representatives.

35     3. a. The study committee shall work with the department



1 of economic development, the department of inspections and  
2 appeals, the insurance division of the department of commerce,  
3 the department of natural resources, the professional licensing  
4 and regulation bureau of the banking division of the department  
5 of commerce, the department of public health, the department  
6 of public safety, the department of revenue, the secretary of  
7 state, and the department of workforce development to study  
8 ways to improve the state's business licensing procedures.

9     b. In preparation for assisting with the interim study  
10 committee, a state agency listed in this subsection shall  
11 conduct an internal review to identify and prioritize  
12 its procedures as they pertain to businesses and business  
13 licensing.

14     c. A state agency listed in this subsection shall provide  
15 all necessary assistance to the interim study committee in  
16 making recommendations to the general assembly.

17     4. The interim study committee shall submit its  
18 recommendations to the general assembly on or before January  
19 14, 2011.

20                                   DIVISION XIII

21                           SAVE OUR SMALL BUSINESSES FUND

22                                   AND PROGRAM

23     Sec. 40. NEW SECTION. 15.300 Findings and intent.

24     1. The general assembly finds all of the following:

25     a. That entrepreneurs and small businesses often have  
26 difficulty obtaining conventional loan financing, limiting  
27 their ability to expand, retain, and create additional jobs.

28     b. That a source of capital provided by the state could  
29 greatly assist entrepreneurs and small businesses in their  
30 efforts to upgrade or modernize equipment, realize additional  
31 efficiencies in their supply chains, improve their distribution  
32 and transportation margins, reduce facility costs through  
33 increased energy efficiency, and leverage other sources of  
34 business financing.

35     2. The purpose of the save our small businesses fund created

1 in section 15.301 is to promote the creation and retention of  
2 jobs in the state's economy and to assist businesses to be more  
3 competitive by addressing the needs identified in subsection 1.

4 Sec. 41. NEW SECTION. 15.301 **Save our small businesses fund**  
5 **and program.**

6 1. a. A save our small businesses fund is created in  
7 the state treasury under the control of the department and  
8 consisting of any moneys appropriated to the fund by the  
9 general assembly and any other moneys available and obtained or  
10 accepted by the department for placement in the fund.

11 b. Payments of interest, repayments of moneys loaned  
12 pursuant to this section, and recaptures of loans shall be  
13 deposited in the fund. The fund shall be used to provide  
14 financial assistance in the form of low-interest loans as  
15 provided under the program created in this section.

16 c. (1) If, on March 31, 2011, there are unobligated moneys  
17 in the fund, such unobligated moneys shall revert to the  
18 general fund of the state.

19 (2) For each quarter, beginning with the first quarter after  
20 the reversion of moneys pursuant to subparagraph (1) and ending  
21 with the last quarter prior to the reversion of moneys pursuant  
22 to subparagraph (3), the department shall, on the last day  
23 of the quarter transfer to the general fund of the state the  
24 balance of unencumbered moneys in the fund.

25 (3) On March 31, 2016, all moneys in the fund shall revert  
26 to the general fund of the state.

27 2. a. The department shall establish and administer a  
28 program for purposes of providing financial assistance to  
29 eligible small businesses. For purposes of this section,  
30 "*financial assistance*" means loans at an interest rate not to  
31 exceed three and nine-tenths percent per annum and "*eligible*  
32 *small business*" means a small business meeting the requirements  
33 of subsection 3.

34 b. (1) The department may designate an organization to  
35 administer the provisions of this section on the department's

1 behalf.

2       (2) In order to be designated, an organization must be  
3 a nonprofit organization exempt from taxation under section  
4 501(c)(3) of the Internal Revenue Code and must be designated  
5 by the United States small business administration as a  
6 statewide microloan program provider.

7       (3) If the department elects to designate an organization  
8 pursuant to subparagraph (1), the department shall enter into  
9 an agreement with the organization for purposes of ensuring  
10 that the program is administered pursuant to the requirements  
11 of this section.

12       (4) An organization designated pursuant to subparagraph (1)  
13 may accept, evaluate, and approve applications for financial  
14 assistance from eligible small businesses pursuant to the  
15 requirements of this section and may monitor the compliance of  
16 eligible businesses with the terms of an agreement entered into  
17 with the department.

18       (5) All disbursements of moneys to recipients of financial  
19 assistance approved by an organization designated pursuant to  
20 subparagraph (1) shall be made by the department.

21       (6) All repayments of principal and interest on financial  
22 assistance provided under the program shall be remitted to the  
23 department and deposited in the fund.

24       (7) The department, with the assistance of an organization  
25 designated pursuant to subparagraph (1), may seek the recapture  
26 of financial assistance provided pursuant to this section as  
27 provided in subsection 4.

28       *c.* Financial assistance under the program shall be provided  
29 from the fund created in subsection 1.

30       *d.* Financial assistance to a small business shall be at  
31 least two thousand five hundred dollars, but shall not exceed  
32 fifty thousand dollars.

33       *e.* The department, under the terms of an agreement with the  
34 organization designated pursuant to paragraph "b", shall begin  
35 to provide financial assistance from the fund not later than

1 August 1, 2010, and shall to the extent practicable obligate  
2 all available moneys in the fund prior to March 31, 2011.

3     *f.* A loan made to a small business under the program may  
4 be for any period of time, but the terms of such loan shall  
5 provide for the repayment of principal and interest prior to  
6 the date the moneys in the fund revert pursuant to subsection  
7 1, paragraph "c", subparagraph (3).

8     3. A business is eligible to apply for financial assistance  
9 under the program if the business meets all of the following  
10 criteria at the time of application:

11     *a.* The business has thirty-five or fewer full-time  
12 equivalent employees.

13     *b.* The business is located in Iowa.

14     *c.* The business is owned, operated, and actively managed by  
15 a resident of Iowa.

16     *d.* The business has a business plan and has received  
17 assistance in the development stage or the expansion stage  
18 from a small business development center or from a qualified  
19 public or nonprofit small business consultant as defined by the  
20 department.

21     *e.* If a business has been a going concern for two years or  
22 more, the business has not been found to be in violation of any  
23 environmental or worker safety laws, rules, or regulations.

24     *f.* The business only employs individuals legally authorized  
25 to work in this state.

26     *g.* The business does not engage in the production,  
27 depiction, or distribution of obscene material. For purposes  
28 of this paragraph, "*obscene material*" means the same as defined  
29 in section 728.1.

30     *h.* The business is not in bankruptcy and is not imminently  
31 contemplating filing for bankruptcy.

32     4. Upon approval of the application for financial  
33 assistance by the department or an organization designated  
34 pursuant to subsection 2, paragraph "b", the eligible business  
35 shall enter into an agreement with the department which shall

1 include but not be limited to all of the following provisions:

2     *a.* If an eligible business, after receiving financial  
3 assistance, does not continue to meet one or more of the  
4 criteria for eligibility under subsection 3, except for  
5 subsection 3, paragraph "a", all or a portion of the financial  
6 assistance received is subject to disallowance, recapture, or  
7 immediate repayment.

8     *b.* If, after receiving financial assistance, an eligible  
9 business ceases operations within the state or removes a  
10 significant portion of its operations to a location outside  
11 of the state, all or a portion of the financial assistance  
12 received is subject to disallowance, recapture, or immediate  
13 repayment.

14     5. *a.* An eligible business shall not receive more than one  
15 award of financial assistance under this section.

16     *b.* An eligible business that receives financial assistance  
17 under this section may subsequently apply for financial  
18 assistance under other programs administered by the department.

19     *c.* An eligible business that receives financial assistance  
20 under this section shall not use such financial assistance for  
21 purposes of meeting payroll obligations to employees.

22     6. *a.* The small business development centers shall track  
23 the number of referrals for assistance made to the department  
24 for assistance under this section and shall include that number  
25 in the small business development center's annual report to the  
26 general assembly.

27     *b.* The department in conjunction with an organization  
28 designated pursuant to subsection 2, paragraph "b", shall  
29 by January 15 of each year submit a report on the program  
30 administered pursuant to this section to the general assembly.  
31 The report shall include information on the number of  
32 businesses that receive loans under the program and any other  
33 information the department deems relevant to assessing the  
34 success of the program.

35     7. The department shall adopt rules pursuant to chapter 17A

1 as necessary to administer the program. The department may  
2 adopt emergency rules under section 17A.4, subsection 3, and  
3 section 17A.5, subsection 2, paragraph "b", as necessary for the  
4 administration of this section.

5 Sec. 42. SAVE OUR SMALL BUSINESSES FUND APPROPRIATION.

6 There is appropriated from the school infrastructure fund  
7 created in section 12.82 to the department of economic  
8 development for deposit in the save our small businesses fund  
9 for the fiscal year beginning July 1, 2010, and ending June 30,  
10 2011, the following amount, or so much thereof as is necessary,  
11 to be used for the purposes designated:

12 For purposes of providing financial assistance under the  
13 save our small businesses program under section 15.301:

14 ..... \$ 5,000,000

15 Of the moneys appropriated pursuant to this section, the  
16 department may allocate an amount not to exceed two percent of  
17 the moneys appropriated for purposes of retaining the services  
18 of an organization designated pursuant to section 15.301,  
19 subsection 2, paragraph "b".

20 Sec. 43. EFFECTIVE UPON ENACTMENT. This division of this  
21 Act, being deemed of immediate importance, takes effect upon  
22 enactment.

#### 23 DIVISION XIV

#### 24 ALTERNATIVE PUBLIC PROJECT DELIVERY STUDY

25 Sec. 44. INTERIM STUDY COMMITTEE — ALTERNATIVE PROJECT  
26 DELIVERY — REGENTS INSTITUTIONS.

27 1. The legislative council is requested to establish an  
28 interim study committee to study the use of alternative project  
29 delivery for public projects at institutions under the control  
30 of the state board of regents. The study shall include but is  
31 not limited to a review and analysis of the use of alternative  
32 project delivery at land grant institutions and research  
33 universities in other states. There shall be three members  
34 from the house of representatives and three members from the  
35 senate. In addition to the legislative members, the membership

1 of the study committee shall include the following public  
2 members:

3 a. Two members appointed by the state board of regents.

4 b. One member appointed by the Iowa chapter of the American  
5 institute of architects.

6 c. One member appointed by the American council of  
7 engineering companies of Iowa.

8 d. One member appointed by the Iowa chapter of the  
9 design-build institute of America.

10 e. One member appointed by the master builders of Iowa.

11 f. One member appointed by the mechanical contractors  
12 association of Iowa.

13 g. One member appointed by the Iowa chapter of the national  
14 electrical contractors association.

15 h. One member appointed by the Iowa state building and  
16 construction trades council.

17 i. One member appointed by the sheet metal contractors of  
18 Iowa.

19 2. The committee shall meet twice during the 2010  
20 legislative interim and shall submit findings and any  
21 recommendations in a report to the general assembly by January  
22 15, 2011.

23 DIVISION XV

24 FLOODPLAIN MAPPING

25 Sec. 45. FLOODPLAIN MAPPING. Using funds allocated to the  
26 department of natural resources for floodplain mapping from the  
27 appropriation made to the department of economic development in  
28 2009 Iowa Acts, chapter 183, section 67, of federal community  
29 development block grant funds awarded to the state under  
30 the federal Consolidated Security, Disaster Assistance, and  
31 Continuing Appropriations Act, 2009, Pub. L. No. 110-329, the  
32 department of natural resources shall enter an agreement in an  
33 amount of not less than \$10,000,000 with the state university  
34 of Iowa for the development of new floodplain maps by June 30,  
35 2014, by the Iowa flood center established pursuant to section

1 466C.1. The department of natural resources shall structure  
2 the contract to be consistent with any plan for use of the  
3 funds approved by any federal agency, or, if necessary, follow  
4 any procedures necessary for approval of this contract.

5 Sec. 46. EFFECTIVE UPON ENACTMENT. This division of this  
6 Act, being deemed of immediate importance, takes effect upon  
7 enactment.

8 DIVISION XVI

9 DEPARTMENT OF ADMINISTRATIVE SERVICES — OFFICE

10 SPACE — STATE FLEET

11 Sec. 47. DEPARTMENT OF ADMINISTRATIVE SERVICES — OFFICE  
12 SPACE REQUEST FOR PROPOSALS.

13 1. The department of administrative services shall issue a  
14 request for proposals concerning the availability and cost of  
15 office space for state employees in downtown Des Moines and in  
16 other areas in close proximity to the state capitol complex.  
17 The department shall consider the advantages of locating state  
18 employees and their functions near the state capitol complex.

19 2. In issuing the request for proposals, the department  
20 shall examine current leases for office space within the  
21 greater Des Moines area, determine the current length and  
22 duration of those leases, and consider the number of state  
23 employees impacted by those leases.

24 3. The request for proposals shall ensure that any office  
25 space selected shall meet all of the following criteria:

26 a. The building which includes the office space has skywalk  
27 access.

28 b. The building which includes the office space is located  
29 within reasonable proximity to the free shuttle service route  
30 that includes transportation between the capitol complex and  
31 the downtown Des Moines area.

32 c. The entity leasing office space provides adequate  
33 parking to employees utilizing the office space which is within  
34 reasonable proximity to the office space.

35 d. The office space is energy efficient.



1 e. The office space provides adequate space and resources  
2 needed for the employees intending to occupy the office space.

3 4. The department of administrative services shall issue  
4 the request for proposals by December 1, 2010, and shall submit  
5 a written report to the general assembly concerning the request  
6 for proposals by January 14, 2011.

7 Sec. 48. DEPARTMENT OF ADMINISTRATIVE SERVICES — OFFICE  
8 SPACE — COST-BENEFIT ANALYSIS.

9 1. a. The department of administrative services shall  
10 conduct a cost-benefit analysis of utilizing existing office  
11 space for state employees in downtown Des Moines and other  
12 areas in close proximity to the state capitol complex in  
13 lieu of replacing or renovating the Wallace Building or  
14 relocating any state agencies to any space in the mercy capitol  
15 hospital building. The cost-benefit analysis shall include  
16 consideration of any cost to the applicable local jurisdiction  
17 arising from the state's utilization of existing office space.

18 b. The department of administrative services shall submit  
19 a written report to the general assembly on the cost-benefit  
20 analysis by January 14, 2011.

21 2. Prior to submitting the cost-benefit analysis report  
22 required by this section, the department of administrative  
23 services shall not relocate any state agencies to space in  
24 the Mercy capitol hospital building other than any of the  
25 following:

26 a. A centralized department of corrections pharmacy.

27 b. Offices of a state agency currently located in a  
28 state-owned office building.

29 c. Any state employee located in a nonleased facility or  
30 space.

31 d. A nonstate agency.

32 Sec. 49. DEPARTMENT OF ADMINISTRATIVE SERVICES  
33 — STATE FLEET RELOCATION. The department of administrative  
34 services shall evaluate and consider relocating the state  
35 fleet. The department shall be authorized to relocate the

1 state fleet pursuant to such evaluation.

2 DIVISION XVII

3 CHANGES TO PRIOR APPROPRIATIONS

4 Sec. 50. 2004 Iowa Acts, chapter 1175, section 288,  
5 subsection 7, paragraph d, is amended by adding the following  
6 new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,  
8 2004 Iowa Acts, chapter 1175, section 290, or any other  
9 provision of law, moneys allocated in this lettered paragraph  
10 that remain unencumbered or unobligated at the close of a  
11 fiscal year shall not revert but shall remain available for  
12 expenditure for the purposes designated until the close of the  
13 fiscal year that begins July 1, 2012. However, if the projects  
14 for which the moneys are appropriated are completed in an  
15 earlier fiscal year, unencumbered or unobligated moneys shall  
16 revert at the close of that fiscal year.

17 Sec. 51. 2006 Iowa Acts, chapter 1179, section 4, subsection  
18 1, is amended to read as follows:

19 1. a. Notwithstanding Except as provided in paragraph  
20 "b", notwithstanding section 8.33, moneys appropriated for the  
21 fiscal year beginning July 1, 2006, in this division of this  
22 Act that remain unencumbered or unobligated at the close of  
23 the fiscal year shall not revert but shall remain available  
24 for the purposes designated until the close of the fiscal year  
25 that begins July 1, 2009, or until the project for which the  
26 appropriation was made is completed, whichever is earlier.

27 b. Notwithstanding section 8.33, moneys appropriated for the  
28 fiscal year beginning July 1, 2006, in section 1, subsection 1,  
29 and section 1, subsection 11, paragraph "b" of this division of  
30 this Act that remain unencumbered or unobligated at the close  
31 of the fiscal year shall not revert but shall remain available  
32 for the purposes designated until the close of the fiscal year  
33 that begins July 1, 2010, or until the project for which the  
34 appropriation was made is completed, whichever is earlier.

35 Sec. 52. 2006 Iowa Acts, chapter 1179, section 18, is

1 amended to read as follows:

2 SEC. 18. REVERSION.

3 1. Except as provided in subsections 2, and 3, and  
4 4, notwithstanding section 8.33, moneys appropriated from the  
5 endowment for Iowa's health restricted capitals fund for the  
6 fiscal years that begin July 1, 2005, and July 1, 2006, in this  
7 division of this Act that remain unencumbered or unobligated at  
8 the close of the fiscal year shall not revert but shall remain  
9 available for the purposes designated until the close of the  
10 fiscal year that begins July 1, 2009, or until the project for  
11 which the appropriation was made is completed, whichever is  
12 earlier.

13 2. Notwithstanding section 8.33, moneys appropriated from  
14 the endowment for Iowa's health restricted capitals fund  
15 for the fiscal year that begins July 1, 2006, and ends June  
16 30, 2007, in this division of this Act to the department of  
17 veterans affairs for capital improvement projects at the Iowa  
18 veterans home that remain unencumbered or unobligated at the  
19 close of the fiscal year shall not revert but shall remain  
20 available for expenditure for the purposes designated until the  
21 close of the fiscal year that begins July 1, 2010.

22 3. Notwithstanding section 8.33, moneys appropriated from  
23 the endowment for Iowa's health restricted capitals fund  
24 for the fiscal year beginning July 1, 2006, and ending June  
25 30, 2007, in this division of this Act to the department of  
26 education for major renovation and major repair needs at the  
27 community colleges that remain unencumbered or unobligated at  
28 the close of the fiscal year shall not revert but shall remain  
29 available for expenditure for the purposes designated until  
30 the close of the fiscal year beginning July 1, 2010, or until  
31 the project for which appropriated is completed, whichever is  
32 earlier.

33 4. Notwithstanding section 8.33, moneys appropriated from  
34 the endowment for Iowa's health restricted capitals fund  
35 for the fiscal year that begins July 1, 2006, and ends June

1 30, 2007, in this division of this Act to the department of  
 2 administrative services for upgrades to the Woodward state  
 3 resource center wastewater treatment system that remain  
 4 unencumbered or unobligated at the close of the fiscal year  
 5 shall not revert but shall remain available for expenditure  
 6 for the purposes designated until the close of the fiscal year  
 7 that begins July 1, 2011, or until the project for which the  
 8 appropriation is made is completed, whichever is earlier.

9     Sec. 53. 2007 Iowa Acts, chapter 219, section 7, subsection  
 10 1, as amended by 2009 Iowa Acts, chapter 170, section 20, and  
 11 2009 Iowa Acts, chapter 184, section 17, is amended to read as  
 12 follows:

13     1. For costs associated with the construction and  
 14 establishment of the Iowa institute for biomedical discovery at  
 15 the state university of Iowa:

16 FY 2008-2009.....	\$	0
17 FY 2009-2010.....	\$	0
18 FY 2010-2011.....	\$	<del>10,000,000</del>
19		<u>0</u>

20     Sec. 54. 2007 Iowa Acts, chapter 219, section 15, is amended  
 21 to read as follows:

22     SEC. 15. REVERSION.

23     1. Notwithstanding Except as provided in subsection 2,  
 24 notwithstanding section 8.33, moneys appropriated for the  
 25 fiscal year beginning July 1, 2007, in this division of this  
 26 Act that remain unencumbered or unobligated at the close of  
 27 the fiscal year shall not revert but shall remain available  
 28 for the purposes designated until the close of the fiscal year  
 29 beginning July 1, 2009, or until the project for which the  
 30 appropriation was made is completed, whichever is earlier.

31     2. Notwithstanding section 8.33, moneys appropriated  
 32 for the fiscal year beginning July 1, 2007, in section 14,  
 33 subsections 4 and 7 of this division of this Act that remain  
 34 unencumbered or unobligated at the close of the fiscal year  
 35 shall not revert but shall remain available for the purposes

1 designated until the close of the fiscal year beginning July 1,  
 2 2011, or until the project for which the appropriation was made  
 3 is completed, whichever is earlier.

4 Sec. 55. 2008 Iowa Acts, chapter 1179, section 1, subsection  
 5 1, paragraph 1, as enacted by 2009 Iowa Acts, chapter 184,  
 6 section 21, is amended to read as follows:

7 1. ~~For heating, ventilating, and air conditioning~~  
 8 ~~improvements~~ building security and firewall protection in the  
 9 Hoover state office building:

10 ..... \$ 165,000

11 Sec. 56. 2008 Iowa Acts, chapter 1179, section 1, subsection  
 12 4, paragraph b, as amended by 2009 Iowa Acts, chapter 81,  
 13 section 1, is amended to read as follows:

14 b. For historical site preservation grants to be used for  
 15 the restoration, preservation, and development of historic  
 16 sites:

17 ..... \$ 1,000,000

18 In making grants pursuant to this lettered paragraph, the  
 19 department shall consider the existence and amount of other  
 20 funds available to an applicant for the designated project.

21 A grant awarded from moneys appropriated in this lettered  
 22 paragraph shall not exceed \$100,000 per project. Not more than  
 23 \$200,000 may be awarded in the same county in the same round of  
 24 grant reviews.

25 Of the amount appropriated in this lettered paragraph,  
 26 \$20,000 shall be used for the administration and support of  
 27 historic sites including the hiring and employment of seasonal  
 28 workers, notwithstanding section 8.57, subsection 6, paragraph  
 29 "c".

30 Sec. 57. 2008 Iowa Acts, chapter 1179, section 7, as amended  
 31 by 2009 Iowa Acts, chapter 173, section 21, is amended to read  
 32 as follows:

33 SEC. 7. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is  
 34 appropriated from the rebuild Iowa infrastructure fund to  
 35 the department of economic development for the designated

1 fiscal years the following amounts, or so much thereof as is  
 2 necessary, to be used for the purposes designated:

3 For deposit into the river enhancement community attraction  
 4 and tourism fund created in 2008 Iowa Acts, Senate File 2430,  
 5 if enacted:

6	FY 2009-2010.....	\$	0
7	FY 2010-2011.....	\$	<del>10,000,000</del>
8			<u>0</u>
9	FY 2011-2012.....	\$	10,000,000
10	FY 2012-2013.....	\$	10,000,000

11 ~~Notwithstanding section 8.33, moneys appropriated in this~~  
 12 ~~section for the fiscal year beginning July 1, 2010, and ending~~  
 13 ~~June 30, 2011, shall not revert at the close of the fiscal year~~  
 14 ~~for which they are appropriated but shall remain available~~  
 15 ~~for the purpose designated until the close of the fiscal year~~  
 16 ~~that begins July 1, 2013, or until the project for which the~~  
 17 ~~appropriation was made is completed, whichever is earlier.~~

18 Notwithstanding section 8.33, moneys appropriated in this  
 19 section for the fiscal year beginning July 1, 2011, and ending  
 20 June 30, 2012, shall not revert at the close of the fiscal year  
 21 for which they are appropriated but shall remain available  
 22 for the purpose designated until the close of the fiscal year  
 23 that begins July 1, 2014, or until the project for which the  
 24 appropriation was made is completed, whichever is earlier.

25 Notwithstanding section 8.33, moneys appropriated in this  
 26 section for the fiscal year beginning July 1, 2012, and ending  
 27 June 30, 2013, shall not revert at the close of the fiscal year  
 28 for which they are appropriated but shall remain available  
 29 for the purpose designated until the close of the fiscal year  
 30 that begins July 1, 2015, or until the project for which the  
 31 appropriation was made is completed, whichever is earlier.

32 Sec. 58. 2008 Iowa Acts, chapter 1179, section 15,  
 33 subsection 4, paragraph b, as amended by 2009 Iowa Acts,  
 34 chapter 184, section 25, is amended to read as follows:

35 b. To the public broadcasting division for the purchase and

1 installation of generators at transmitter sites:

2 ..... \$ 1,602,437

3 Of the amount appropriated in this lettered paragraph, up to  
4 \$210,477 may be used for operational costs of the division for  
5 FY 2008-2009, and up to \$1,000,000 may be used for operational  
6 costs of the division for FY 2009-2010, and up to \$378,637  
7 may be used for operational costs of the division for FY  
8 2010-2011, notwithstanding section 8.57C, subsection 2.

9 Sec. 59. 2008 Iowa Acts, chapter 1179, section 15,  
10 subsection 4, paragraph c, is amended to read as follows:

11 c. To the public broadcasting division for the replacement  
12 and digital conversion of the Keosauqua translator:

13 ..... \$ 701,500

14 Of the amount appropriated in this lettered paragraph, up to  
15 \$25,378 may be used for operational costs of the division for  
16 FY 2010-2011, notwithstanding section 8.57C, subsection 2.

17 Sec. 60. 2008 Iowa Acts, chapter 1179, section 18,  
18 subsection 3, as amended by 2009 Iowa Acts, chapter 173,  
19 section 24, is amended to read as follows:

20 3. DEPARTMENT OF CORRECTIONS

21 a. For expansion of the community-based corrections  
22 facility at Sioux City:

23 ..... \$ 5,300,000

24 b. For expansion of the community-based corrections  
25 facility at Ottumwa:

26 ..... \$ 4,100,000

27 c. For expansion of the community-based corrections  
28 facility at Waterloo:

29 ..... \$ 6,000,000

30 d. For expansion of the community-based corrections  
31 facility at Davenport:

32 ..... \$ 2,100,000

33 e. For expansion, including land acquisition, of the  
34 community-based corrections facility at Des Moines:

35 ..... \$ ~~13,100,000~~

1

2 ~~The appropriation in this lettered paragraph is contingent~~  
 3 ~~upon relocation of the sex offender treatment program from~~  
 4 ~~the community-based corrections facility at Des Moines to~~  
 5 ~~the property in northeast Des Moines identified by the fifth~~  
 6 ~~judicial district in the facility and site study final report~~  
 7 ~~submitted December 12, 2008.~~

8 It is the intent of the general assembly that the funds  
 9 appropriated in paragraphs "a" through "e" be used to expand  
 10 the number of beds available through new construction and  
 11 remodeling and for the expansion of existing facilities.

12 f. For expansion of the Iowa correctional facility for women  
 13 at Mitchellville including costs related to project management  
 14 including the hiring and employment of a construction manager  
 15 and a correctional specialist:

16 ..... \$ 47,500,000

17 g. For the remodeling of kitchens at the correctional  
 18 facilities at Mount Pleasant and Rockwell City:

19 ..... \$ 12,500,000

20 Sec. 61. 2008 Iowa Acts, chapter 1179, section 22, is  
 21 amended to read as follows:

22 SEC. 22. There is appropriated from the FY 2009 prison  
 23 bonding fund created pursuant to section 12.79, as enacted in  
 24 this Act, to the department of corrections for the fiscal year  
 25 beginning July 1, 2008, and ending June 30, 2009, the following  
 26 amount, or so much thereof as is necessary, to be used for the  
 27 purpose designated:

28 For costs associated with the building of a new Iowa State  
 29 Penitentiary at Fort Madison including costs related to  
 30 project management including the hiring and employment of a  
 31 construction manager and a correctional specialist:

32 ..... \$130,677,500

33 The appropriation made in this section constitutes approval  
 34 by the general assembly for the issuance of bonds by the  
 35 treasurer pursuant to section 12.80, as enacted in this Act.



1     Sec. 62. 2009 Iowa Acts, chapter 173, section 13, subsection  
2 1, is amended by adding the following new paragraph:

3     NEW PARAGRAPH. e. Of the moneys appropriated in  
4 this subsection, the department may award moneys for the  
5 establishment of drainage district pilot projects. Each  
6 drainage district pilot project shall be presented to the state  
7 soil conservation committee and the watershed improvement  
8 review board to ensure the project design, project goals,  
9 baseline data collection, project data collection standards,  
10 and data evaluation standards are appropriate for, and advance,  
11 the soil and water conservation goals of the state. Annual  
12 progress reports on each pilot project shall be presented  
13 to the state soil conservation committee and the watershed  
14 improvement review board to ensure the projects continue to  
15 advance the soil and water conservation goals of the state.  
16 All construction plans, monitoring plans, project data, and  
17 project data analysis shall be available for public review and  
18 study. Experts from the United States geological survey, the  
19 national laboratory for agriculture and the environment at  
20 Iowa state university, and other appropriate state and federal  
21 agencies may be consulted on any aspect of the program.

22     Sec. 63. 2009 Iowa Acts, chapter 173, section 13, subsection  
23 2, is amended to read as follows:

24     2. DEPARTMENT OF NATURAL RESOURCES

25     For watershed rebuilding and water quality projects:

26     ..... \$ 13,500,000

27     Of the moneys appropriated in this subsection, the  
28 department may provide moneys to construct, reconstruct, or  
29 repair infrastructure associated with the control and movement  
30 of surface water, including but not limited to addressing  
31 issues affected by combined sewer overflows, enrolling larger  
32 contiguous areas in emergency watershed programs, improving  
33 facilities or systems that provide water quality, mitigating  
34 flood damage or the threat of flood damage in the areas most  
35 severely affected by the 2008 flood, and improving or replacing

1 low-head dams. Any award of moneys made under this subsection  
2 shall be in the form of a grant. Any grant awards for practices  
3 on private property shall be for the public purposes of flood  
4 control, watershed management, or improving water quality.

5 Sec. 64. 2009 Iowa Acts, chapter 173, section 13, subsection  
6 4, paragraphs b, c, and d, are amended to read as follows:

7 b. For ~~deposit into the public service shelter grant fund~~  
8 ~~created in section 16.185~~ for grants for the construction,  
9 renovation, and improvements to homeless shelters, emergency  
10 shelters, and family and domestic violence shelters:

11 ..... \$ 10,000,000

12 c. For ~~deposit into the disaster damage housing assistance~~  
13 ~~grant fund created in section 16.186~~ for grants to ease and  
14 speed recovery efforts from the natural disasters of 2008,  
15 including stabilizing neighborhoods damaged by the natural  
16 disasters, preventing population loss and neighborhood  
17 deterioration, and improving the health, safety, and welfare of  
18 persons living in such disaster-damaged neighborhoods:

19 ..... \$ 5,000,000

20 d. For ~~deposit into the affordable housing assistance grant~~  
21 ~~fund created in section 16.187~~ for grants for housing for  
22 certain elderly, disabled, and low-income persons and public  
23 servants in critical skills shortage areas of the state:

24 ..... \$ 20,000,000

25 Sec. 65. 2009 Iowa Acts, chapter 173, section 13, subsection  
26 5, unnumbered paragraph 1, as amended by 2009 Iowa Acts,  
27 chapter 183, section 71, is amended to read as follows:

28 For broadband technology grants for the deployment and  
29 sustainability of high-speed broadband access:

30 ..... \$ ~~25,000,000~~

31 0

32 Sec. 66. 2009 Iowa Acts, chapter 173, section 13, subsection  
33 6, is amended to read as follows:

34 6. DEPARTMENT OF TRANSPORTATION

35 For ~~deposit into the bridge safety fund created in section~~

1 ~~313.68 to be used for~~ infrastructure projects relating to  
2 functionally obsolete and structurally deficient bridges:

3 ..... \$ ~~50,000,000~~  
4 40,000,000

5 Sec. 67. 2009 Iowa Acts, chapter 173, section 13, is amended  
6 by adding the following new subsection:

7 NEW SUBSECTION. 7. DEPARTMENT OF ECONOMIC DEVELOPMENT

8 For the main street Iowa program to be used as grants  
9 for projects that have previously applied for funding  
10 consideration, or have received partial funding for facade  
11 master plans to rehabilitate storefronts in main street Iowa  
12 districts, to complete streetscape projects where planning  
13 and the majority of funding is already secured, for unfunded  
14 main street challenge grant projects, and for other building  
15 rehabilitation projects that are currently on the department's  
16 highest priority list:

17 ..... \$ 5,550,000

18 Moneys appropriated in this subsection shall not be used for  
19 administration or planning purposes.

20 Sec. 68. 2009 Iowa Acts, chapter 174, section 6, is  
21 repealed.

22 Sec. 69. 2009 Iowa Acts, chapter 184, section 1, subsection  
23 3, paragraph d, is amended to read as follows:

24 d. For historical site preservation grants to be used for  
25 the restoration, preservation, and development of historic  
26 sites:

27 ..... \$ 1,000,000

28 In making grants pursuant to this lettered paragraph, the  
29 department shall consider the existence and amount of other  
30 funds available to an applicant for the designated project.

31 A grant awarded from moneys appropriated in this lettered  
32 paragraph shall not exceed \$100,000 per project. Not more than  
33 \$200,000 may be awarded in the same county in the same round of  
34 grant reviews.

35 Of the amount appropriated in this lettered paragraph,

1 \$20,000 shall be used for the administration and support of  
 2 historic sites including the hiring and employment of seasonal  
 3 workers, notwithstanding section 8.57, subsection 6, paragraph  
 4 "c".

5 Sec. 70. 2009 Iowa Acts, chapter 184, section 1, subsection  
 6 12, paragraph a, is amended to read as follows:

7 a. ~~To provide funds for capital improvements and for related~~  
 8 ~~studies for expanding passenger rail services in Iowa For~~  
 9 deposit in the passenger rail service revolving fund created  
 10 in section 327J.2, notwithstanding section 8.57, subsection 6,  
 11 paragraph "c":

12 ..... \$ 3,000,000

13 Sec. 71. 2009 Iowa Acts, chapter 184, section 2, subsections  
 14 1, 2, 4, and 5, are amended by striking the subsections.

15 Sec. 72. 2009 Iowa Acts, chapter 184, section 2, subsection  
 16 6, paragraph a, is amended to read as follows:

17 a. For deposit into the railroad revolving loan and grant  
 18 fund created in section 327H.20A, notwithstanding section 8.57,  
 19 subsection 6, paragraph "c":  
 20 ..... \$ 2,000,000

21 Of the amount appropriated in this lettered paragraph,  
 22 \$2,000,000 shall be allocated to a city with a population  
 23 between 98,300 and 98,400 in the last preceding certified  
 24 federal census, for a rail trans-load facility if a federal  
 25 match of funds is received.

26 Sec. 73. EFFECTIVE UPON ENACTMENT. This division, being  
 27 deemed of immediate importance, takes effect upon enactment.

28 DIVISION XVIII

29 MISCELLANEOUS CODE CHANGES

30 Sec. 74. Section 8.57, subsection 6, paragraph e, Code  
 31 Supplement 2009, is amended to read as follows:

32 e. (1) (a) (i) Notwithstanding provisions to the contrary  
 33 in sections 99D.17 and 99F.11, for the fiscal year beginning  
 34 July 1, 2000, and for each fiscal year thereafter, not more  
 35 than a total of sixty-six million dollars shall be deposited

1 in the general fund of the state in any fiscal year pursuant to  
2 sections 99D.17 and 99F.11.

3 (ii) However, in lieu of the deposit in subparagraph  
4 subdivision (i), for the fiscal year beginning July 1, 2010,  
5 and for each fiscal year thereafter until the principal and  
6 interest on all bonds issued by the treasurer of state pursuant  
7 to section 12.87 are paid, as determined by the treasurer of  
8 state, the first fifty-five million dollars of the moneys  
9 directed to be deposited in the general fund of the state under  
10 subparagraph subdivision (i) shall be deposited in the revenue  
11 bonds debt service fund created in section 12.89, and the next  
12 five three million seven hundred fifty thousand dollars of the  
13 moneys directed to be deposited in the general fund of the  
14 state under subparagraph subdivision (i) shall be deposited  
15 in the revenue bonds federal subsidy holdback fund created  
16 in section 12.89, and the next one million two hundred fifty  
17 thousand dollars of the moneys directed to be deposited in the  
18 general fund of the state under subparagraph subdivision (i)  
19 shall be deposited in the general fund of the state.

20 (b) The next fifteen million dollars of the moneys directed  
21 to be deposited in the general fund of the state in a fiscal  
22 year pursuant to sections 99D.17 and 99F.11 shall be deposited  
23 in the vision Iowa fund created in section 12.72 for the fiscal  
24 year beginning July 1, 2000, and for each fiscal year through  
25 the fiscal year beginning July 1, 2019.

26 (c) The next five million dollars of the moneys directed to  
27 be deposited in the general fund of the state in a fiscal year  
28 pursuant to sections 99D.17 and 99F.11 shall be deposited in  
29 the school infrastructure fund created in section 12.82 for the  
30 fiscal year beginning July 1, 2000, and for each fiscal year  
31 thereafter until the principal and interest on all bonds issued  
32 by the treasurer of state pursuant to section 12.81 are paid,  
33 as determined by the treasurer of state.

34 (d) (i) The total moneys in excess of the moneys deposited  
35 in the revenue bonds debt service fund, the revenue bonds

1 federal holdback subsidy fund, the vision Iowa fund, the  
 2 school infrastructure fund, and the general fund of the  
 3 state in a fiscal year shall be deposited in the rebuild Iowa  
 4 infrastructure fund and shall be used as provided in this  
 5 section, notwithstanding section 8.60.

6 (ii) However, in lieu of the deposit in subparagraph  
 7 subdivision (i), for the fiscal year beginning July 1, 2010,  
 8 and for each fiscal year thereafter until the principal and  
 9 interest on all bonds issued by the treasurer of state pursuant  
 10 to section 12.87 are paid, as determined by the treasurer  
 11 of state, ~~fifty-five~~ sixty-four million seven hundred fifty  
 12 thousand dollars of the excess moneys directed to be deposited  
 13 in the rebuild Iowa infrastructure fund under subparagraph  
 14 subdivision (i) shall be deposited in the general fund of the  
 15 state.

16 (2) If the total amount of moneys directed to be deposited  
 17 in the general fund of the state under sections 99D.17 and  
 18 99F.11 in a fiscal year is less than the total amount of moneys  
 19 directed to be deposited in the revenue bonds debt service  
 20 fund and the revenue bonds federal subsidy holdback fund in  
 21 the fiscal year pursuant to this paragraph "e", the difference  
 22 shall be paid from moneys deposited in the beer and liquor  
 23 control fund created in section 123.53 in the manner provided  
 24 in section 123.53, subsection 3.

25 (3) After the deposit of moneys directed to be deposited  
 26 in the general fund of the state, and the revenue bonds debt  
 27 service fund, and the revenue bonds federal subsidy holdback  
 28 fund, as provided in subparagraph (1), subparagraph division  
 29 (a), if the total amount of moneys directed to be deposited  
 30 in the general fund of the state under sections 99D.17 and  
 31 99F.11 in a fiscal year is less than the total amount of  
 32 moneys directed to be deposited in the vision Iowa fund and  
 33 the school infrastructure fund in the fiscal year pursuant to  
 34 this paragraph "e", the difference shall be paid from lottery  
 35 revenues in the manner provided in section 99G.39, subsection

1 3.

2 Sec. 75. Section 8.57, subsection 6, paragraph f, Code  
3 Supplement 2009, is amended to read as follows:

4 *f.* There is appropriated from the rebuild Iowa  
5 infrastructure fund to the secure an advanced vision for  
6 education fund created in section 423F.2, for each fiscal year  
7 of the fiscal period beginning July 1, 2008, and ending June  
8 30, ~~2014~~, 2010, and for each fiscal year of the fiscal period  
9 beginning July 1, 2011, and ending June 30, 2014, the amount of  
10 the moneys in excess of the first forty-seven million dollars  
11 credited to the rebuild Iowa infrastructure fund during the  
12 fiscal year, not to exceed ten million dollars.

13 Sec. 76. Section 8.57A, subsection 4, Code 2009, is amended  
14 to read as follows:

15 4. *a.* There is appropriated from the rebuild Iowa  
16 infrastructure fund for the fiscal ~~year~~ years beginning July  
17 1, 2008, July 1, 2009, and July 1, 2011, and for each fiscal  
18 year thereafter, the sum of forty-two million dollars to  
19 the environment first fund, notwithstanding section 8.57,  
20 subsection 6, paragraph "c".

21 *b.* There is appropriated from the rebuild Iowa  
22 infrastructure fund for the fiscal year beginning July 1, 2010,  
23 and ending June 30, 2011, the sum of thirty-three million  
24 dollars to the environment first fund, notwithstanding section  
25 8.57, subsection 6, paragraph "c".

26 Sec. 77. Section 8.57C, subsection 3, Code Supplement 2009,  
27 is amended to read as follows:

28 3. *a.* There is appropriated from the general fund of the  
29 state for the fiscal years beginning July 1, 2006, July 1,  
30 2007, July 1, ~~2010~~ 2011, and for each subsequent fiscal year  
31 thereafter, the sum of seventeen million five hundred thousand  
32 dollars to the technology reinvestment fund.

33 *b.* There is appropriated from the rebuild Iowa  
34 infrastructure fund for the fiscal year beginning July 1, 2008,  
35 and ending June 30, 2009, the sum of seventeen million five

1 hundred thousand dollars, and for the fiscal year beginning  
 2 July 1, 2009, and ending June 30, 2010, the sum of fourteen  
 3 million five hundred twenty-five thousand dollars to the  
 4 technology reinvestment fund, notwithstanding section 8.57,  
 5 subsection 6, paragraph "c".

6 c. There is appropriated from the rebuild Iowa  
 7 infrastructure fund for the fiscal year beginning July 1, 2010,  
 8 the sum of ten million dollars to the technology reinvestment  
 9 fund, notwithstanding section 8.57, subsection 6, paragraph  
 10 "c".

11 Sec. 78. Section 12.87, subsections 1 and 2, Code Supplement  
 12 2009, are amended to read as follows:

13 1. The treasurer of state is authorized to issue and sell  
 14 bonds on behalf of the state to provide funds for certain  
 15 infrastructure projects and for purposes of the Iowa jobs  
 16 program established in section 16.194. The treasurer of state  
 17 shall have all of the powers which are necessary or convenient  
 18 to issue, sell and secure bonds and carry out the treasurer of  
 19 state's duties, and exercise the treasurer of state's authority  
 20 under this section and sections 12.88 through 12.90. The  
 21 treasurer of state may issue and sell bonds in such amounts as  
 22 the treasurer of state determines to be necessary to provide  
 23 sufficient funds for certain infrastructure projects and the  
 24 revenue bonds capitals fund, the revenue bonds capitals II  
 25 fund, the payment of interest on the bonds, the establishment  
 26 of reserves to secure the bonds, the payment of costs of  
 27 issuance of the bonds, the payment of other expenditures of  
 28 the treasurer of state incident to and necessary or convenient  
 29 to carry out the issuance and sale of the bonds, and the  
 30 payment of all other expenditures of the treasurer of state  
 31 necessary or convenient to administer the funds and to carry  
 32 out the purposes for which the bonds are issued and sold.  
 33 The treasurer of state may issue and sell bonds in one or  
 34 more series on the terms and conditions the treasurer of  
 35 state determines to be in the best interest of the state, in



1 accordance with this section in such amounts as the treasurer  
 2 of state determines to be necessary to fund the purposes for  
 3 which such bonds are issued and sold, as follows:

4 a. The treasurer of state may issue and sell bonds in  
 5 amounts which provide aggregate net proceeds of not more  
 6 than ~~five hundred forty-five~~ six hundred ninety-five million  
 7 dollars, excluding any bonds issued and sold to refund  
 8 outstanding bonds issued under this section, as follows:

9 ~~a.~~ (1) The On or after July 1, 2009, the treasurer of  
 10 state may issue and sell bonds in amounts which provide  
 11 aggregate net proceeds of not more than one hundred eighty-five  
 12 million dollars for capital projects which qualify as vertical  
 13 infrastructure projects as defined in section 8.57, subsection  
 14 6, paragraph "c", to the extent practicable in any fiscal year  
 15 and without limiting other qualifying capital expenditures.

16 ~~b.~~ (2) The On or after July 1, 2009, the treasurer of state  
 17 may issue and sell bonds in amounts which provide aggregate  
 18 net proceeds of not more than three hundred sixty million  
 19 dollars for purposes of the Iowa jobs program established  
 20 in section 16.194 and for watershed flood rebuilding and  
 21 prevention projects, soil conservation projects, sewer  
 22 infrastructure projects, for certain housing and public service  
 23 shelter projects and public broadband and alternative energy  
 24 projects, and for projects relating to bridge safety and the  
 25 rehabilitation of deficient bridges.

26 (3) On or after July 1, 2010, the treasurer of state may  
 27 issue and sell bonds in amounts which provide aggregate net  
 28 proceeds of not more than one hundred fifty million dollars  
 29 for purposes of the Iowa jobs II program established in  
 30 section 16.194A and for qualified projects in the departments  
 31 of agriculture and land stewardship, economic development,  
 32 education, natural resources, and transportation, and the Iowa  
 33 finance authority, state board of regents, and treasurer of  
 34 state.

35 2. Bonds issued and sold under this section are payable

1 solely and only out of the moneys in the revenue bonds debt  
 2 service fund, the revenue bonds federal subsidy holdback  
 3 fund, and any bond reserve funds established pursuant to  
 4 section 12.89, and only to the extent provided in the trust  
 5 indenture, resolution, or other instrument authorizing their  
 6 issuance. All moneys in the revenue bonds debt service fund,  
 7 the revenue bonds federal subsidy holdback fund, and any bond  
 8 reserve funds established pursuant to section 12.89 may be  
 9 deposited with trustees or depositories in accordance with  
 10 the terms of the trust indentures, resolutions, or other  
 11 instruments authorizing the issuance of bonds and pledged by  
 12 the treasurer of state to the payment thereof. Bonds issued  
 13 and sold under this section shall contain a statement that the  
 14 bonds are limited special obligations of the state and do not  
 15 constitute a debt or indebtedness of the state or a pledge  
 16 of the faith or credit of the state or a charge against the  
 17 general credit or general fund of the state. The treasurer  
 18 of state shall not pledge the credit or taxing power of this  
 19 state or any political subdivision of this state or make bonds  
 20 issued and sold pursuant to this section payable out of any  
 21 moneys except those in the revenue bonds debt service fund,  
 22 the revenue bonds federal subsidy holdback fund, and any bond  
 23 reserve funds established pursuant to section 12.89.

24 Sec. 79. Section 12.89, subsection 2, Code Supplement 2009,  
 25 is amended by adding the following new paragraph:

26 NEW PARAGRAPH. *Od.* Federal subsidies and any transfers  
 27 from the revenue bonds federal subsidy holdback fund created  
 28 pursuant to section 12.89A.

29 Sec. 80. NEW SECTION. **12.89A Revenue bonds federal subsidy**  
 30 **holdback fund.**

31 1. A revenue bonds federal subsidy holdback fund is created  
 32 and established as a separate and distinct fund in the state  
 33 treasury. The treasurer of state shall act as custodian of the  
 34 fund and disburse moneys contained in the fund.

35 2. The moneys in such fund shall include all of the

1 following:

2     a. The revenues required to be deposited in the fund  
3 pursuant to section 8.57, subsection 6, paragraph "e",  
4 subparagraphs (1) and (2).

5     b. Interest attributable to investment moneys in the fund.

6     c. Any other moneys from any other sources which may be  
7 legally available to the treasurer of state for the purpose of  
8 the fund.

9     3. The moneys in the revenue bonds federal subsidy holdback  
10 fund are appropriated and shall be used or transferred to the  
11 revenue bonds debt service fund created in section 12.89,  
12 subsection 1, solely for the purpose of making payments of  
13 principal and interest on federal subsidy bonds when due, if  
14 the treasurer of state or the treasurer's designee has not  
15 received a federal subsidy scheduled to be received for such  
16 payment by the due date.

17     4. The moneys on deposit in the revenue bonds federal  
18 subsidy holdback fund shall be used or transferred to the  
19 revenue bonds debt service fund created in section 12.89,  
20 subsection 1, solely for the purpose of making payments of  
21 principal and interest on federal subsidy bonds prior to any  
22 use or transfer of moneys on deposit in any bond reserve fund  
23 created for such federal subsidy bonds by the treasurer of  
24 state pursuant to section 12.89, subsection 3, paragraph "a".

25     5. At any time during each fiscal year that there are moneys  
26 on deposit in the revenue bonds federal subsidy holdback fund  
27 that are not needed to pay principal and interest on federal  
28 subsidy bonds during such fiscal year as determined by the  
29 treasurer of state or the treasurer's designee, such moneys on  
30 deposit in the revenue bonds federal subsidy holdback account  
31 shall be credited to the rebuild Iowa infrastructure fund of  
32 the state.

33     6. For purposes of this section:

34     a. "*Federal subsidy*" means any payment from the federal  
35 government with respect to federal subsidy bonds.

1     *b. "Federal subsidy bonds"* means any bonds issued and  
2 sold pursuant to section 12.87 for which a federal subsidy is  
3 expected to be paid on or before any date on which interest on  
4 such bonds is due and payable.

5     Sec. 81. Section 15F.204, subsection 8, paragraph a,  
6 subparagraph (6), Code Supplement 2009, is amended by striking  
7 the subparagraph.

8     Sec. 82. Section 15F.204, subsection 8, paragraph b,  
9 subparagraph (4), Code Supplement 2009, is amended by striking  
10 the subparagraph.

11     Sec. 83. Section 16.181A, Code 2009, is amended to read as  
12 follows:

13     **16.181A Housing trust fund — appropriations.**

14     1. There is appropriated from the rebuild Iowa  
15 infrastructure fund to the Iowa finance authority for deposit  
16 in the housing trust fund created in section 16.181, for the  
17 fiscal year beginning July 1, 2009, and ending June 30, 2010,  
18 and for each succeeding fiscal year, the sum of three million  
19 dollars.

20     2. There is appropriated from the rebuild Iowa  
21 infrastructure fund to the Iowa finance authority for deposit  
22 in the housing trust fund created in section 16.181, for the  
23 fiscal year beginning July 1, 2010 and ending June 30, 2011,  
24 the sum of one million dollars.

25     Sec. 84. Section 16.192, subsections 2 and 4, Code  
26 Supplement 2009, are amended to read as follows:

27     2. Establish the Iowa jobs program pursuant to section  
28 16.194 and the Iowa jobs II program pursuant to section  
29 16.194A.

30     4. Award financial assistance, including financial  
31 assistance in the form of grants under the Iowa jobs program  
32 pursuant to sections 16.194, 16.194A, and 16.195.

33     Sec. 85. Section 16.193, subsection 2, Code Supplement  
34 2009, is amended to read as follows:

35     2. During the term of the Iowa jobs program established

1 in section 16.194 and the Iowa jobs II program established  
2 in section 16.194A, two hundred thousand dollars of the  
3 moneys deposited in the rebuild Iowa infrastructure fund  
4 shall be allocated each fiscal year to the Iowa finance  
5 authority for purposes of administering the Iowa jobs program,  
6 notwithstanding section 8.57, subsection 6, paragraph "c".

7 Sec. 86. NEW SECTION. 16.194A Iowa jobs II program —  
8 disaster prevention.

9 1. An Iowa jobs II program is created to assist in the  
10 development and completion of public construction projects  
11 relating to disaster prevention.

12 2. A city or county in this state that applies the  
13 smartplanning principles and guidelines pursuant to sections  
14 18B.1 and 18B.2, as enacted in this Act, may submit an  
15 application to the Iowa jobs board for financial assistance  
16 for a local infrastructure competitive grant for an eligible  
17 project under the program, notwithstanding any limitation on  
18 the state's percentage in funding as contained in section  
19 29C.6, subsection 17.

20 3. Financial assistance under the program shall be awarded  
21 in the form of grants.

22 4. The board shall consider the following criteria in  
23 evaluating eligible projects to receive financial assistance  
24 under the program:

25 a. The total number and quality of jobs to be created and  
26 the benefits likely to accrue to areas distressed by high  
27 unemployment.

28 b. Financial feasibility, including the ability of projects  
29 to fund depreciation costs or replacement reserves, and the  
30 availability of other federal, state, local, and private  
31 sources of funds.

32 c. Sustainability and energy efficiency.

33 d. Benefits for disaster prevention.

34 e. The project's readiness to proceed.

35 5. An applicant must demonstrate local support for the

1 project as defined by rule.

2 6. Any award of financial assistance to a project shall  
3 be limited to up to ninety percent of the total cost of the  
4 development and completion of a public construction project  
5 relating to disaster prevention.

6 7. In order for a project to be eligible to receive  
7 financial assistance from the board, the project must be a  
8 public construction project pursuant to subsection 1 with a  
9 demonstrated substantial local, regional, or statewide economic  
10 impact.

11 8. The board shall not approve an application for assistance  
12 for any of the following purposes:

13 a. To refinance a loan existing prior to the date of the  
14 initial financial assistance application.

15 b. For a project that has previously received financial  
16 assistance under the program, unless the applicant demonstrates  
17 that the financial assistance would be used for a significant  
18 expansion of a project.

19 9. Any portion of an amount allocated for projects  
20 that remains unexpended or unencumbered one year after the  
21 allocation has been made may be reallocated to another project  
22 category, at the discretion of the board. The board shall  
23 ensure that all bond proceeds be expended within three years  
24 from when the allocation was initially made.

25 10. The board shall ensure that funds obligated under  
26 this section are coordinated with other federal program funds  
27 received by the state, and that projects receiving funds are  
28 located in geographically diverse areas of the state.

29 11. An applicant or combination of applicants for a project  
30 within the same county shall not be awarded more than forty  
31 percent of the funds available under this program.

32 Sec. 87. Section 16.195, subsection 2, Code Supplement  
33 2009, is amended to read as follows:

34 2. A review committee composed of members of the  
35 board as determined by the board shall review Iowa jobs

1 program applications submitted to the board and make  
 2 recommendations regarding the applications to the board. When  
 3 reviewing the applications, the review committee and the  
 4 authority shall consider the project criteria specified in  
 5 ~~section~~ sections 16.194 and 16.194A. The board shall develop  
 6 the appropriate level of transparency regarding project fund  
 7 allocations.

8 Sec. 88. Section 26.3, subsection 2, Code Supplement 2009,  
 9 is amended to read as follows:

10 2. A governmental entity shall have an engineer licensed  
 11 under chapter 542B, a landscape architect licensed under  
 12 chapter 544B, or an architect registered under chapter  
 13 544A prepare plans and specifications, and calculate the  
 14 estimated total cost of a proposed public improvement. A  
 15 governmental entity shall ensure that a sufficient number  
 16 of paper copies of the project's contract documents, including  
 17 all drawings, plans, specifications, and estimated total costs  
 18 of the proposed public improvement are made available for  
 19 distribution at no charge to prospective bidders, subcontractor  
 20 bidders, suppliers, and contractor plan room services. If  
 21 a deposit is required as part of a paper contract documents  
 22 distribution policy by the public owner, the deposit shall  
 23 not exceed two hundred fifty dollars per set which shall be  
 24 refunded upon return of the contract documents within fourteen  
 25 days after award of the project. If the contract documents are  
 26 not returned in a timely manner and in a reusable condition,  
 27 the deposit shall be forfeited. The governmental entity shall  
 28 reimburse the landscape architect, architect, or professional  
 29 engineer for the actual costs of preparation and distribution  
 30 of plans and specifications.

31 Sec. 89. NEW SECTION. **73.14 Minority-owned and female-owned**  
 32 **businesses — bond issuance services.**

33 1. The state, board of regents institutions, counties,  
 34 townships, school districts, community colleges, cities, and  
 35 other public entities, and every person acting as contracting

1 agent for any such entity, shall, when issuing bonds or other  
2 obligations, make a good-faith effort to utilize minority-owned  
3 and female-owned businesses for attorneys, accountants,  
4 financial advisors, banks, underwriters, insurers, and other  
5 occupations necessary to carry out the issuance of bonds or  
6 other obligations by the entity, whether or not such businesses  
7 are located in the state.

8 2. For purposes of this section:

9 a. "*Female-owned business*" means a business that is  
10 fifty-one percent or more owned, operated, and actively managed  
11 by one or more women.

12 b. "*Minority-owned business*" means a business that is  
13 fifty-one percent or more owned, operated, and actively managed  
14 by one or more minority persons.

15 Sec. 90. Section 123.53, subsections 3 and 4, Code  
16 Supplement 2009, are amended to read as follows:

17 3. Notwithstanding subsection 2, if gaming revenues under  
18 sections 99D.17 and 99F.11 are insufficient in a fiscal year to  
19 meet the total amount of such revenues directed to be deposited  
20 in the revenue bonds debt service fund and the revenue bonds  
21 federal subsidy holdback fund during the fiscal year pursuant  
22 to section 8.57, subsection 6, paragraph "e", the difference  
23 shall be paid from moneys deposited in the beer and liquor  
24 control fund prior to transfer of such moneys to the general  
25 fund pursuant to subsection 2 and prior to the transfer of such  
26 moneys pursuant to subsections 5 and 6. If moneys deposited in  
27 the beer and liquor control fund are insufficient during the  
28 fiscal year to pay the difference, the remaining difference  
29 shall be paid from moneys deposited in the beer and liquor  
30 control fund in subsequent fiscal years as such moneys become  
31 available.

32 4. The treasurer of state shall, each quarter, prepare  
33 an estimate of the gaming revenues and of the moneys to be  
34 deposited in the beer and liquor control fund that will become  
35 available during the remainder of the appropriate fiscal year



1 for the purposes described in subsection 3. The department  
 2 of management, the department of inspections and appeals, and  
 3 the department of commerce shall take appropriate actions to  
 4 provide that the sum of the amount of gaming revenues available  
 5 to be deposited into the revenue bonds debt service fund during  
 6 a fiscal year and the amount of moneys to be deposited in the  
 7 beer and liquor control fund available to be deposited into  
 8 the revenue bonds debt service fund and the revenue bonds  
 9 federal subsidy holdback fund during such fiscal year will be  
 10 sufficient to cover any anticipated deficiencies.

11 Sec. 91. Section 327H.20A, subsection 3, Code Supplement  
 12 2009, is amended to read as follows:

13 3. Notwithstanding any other provision to the contrary,  
 14 on or after July 1, 2006, moneys received as repayments for  
 15 loans made pursuant to this chapter or chapter 327I, Code 2009,  
 16 before, on, or after July 1, 2005, other than repayments of  
 17 federal moneys subject to section 327H.21, shall be credited to  
 18 the railroad revolving loan and grant fund. Notwithstanding  
 19 section 8.33, moneys in the railroad revolving loan and grant  
 20 fund shall not revert to the ~~general fund of the state fund~~  
 21 from which it was appropriated but shall remain available  
 22 indefinitely for expenditure under this section.

23 Sec. 92. Section 327J.2, subsection 3, Code Supplement  
 24 2009, is amended to read as follows:

25 3. *No reversion.* Notwithstanding section 8.33, any balance  
 26 in the fund on June 30 of any fiscal year shall not revert  
 27 to the ~~general fund of the state fund~~ from which it was  
 28 appropriated.

29 Sec. 93. REPEAL. Sections 8.57D, 12.90A, 12.90B, 12.90C,  
 30 16.185, 16.186, 16.187, and 313.68, Code Supplement 2009, are  
 31 repealed.

#### 32 EXPLANATION

33 This bill makes appropriations to state departments and  
 34 agencies from the rebuild Iowa infrastructure fund, the  
 35 technology reinvestment fund, the revenue bonds capitals fund,

1 the revenue bonds capitals II fund, the FY 2009 prison bonding  
2 fund, and other funds, creates the Iowa jobs II program and the  
3 revenue bonds federal subsidy holdback fund, and provides for  
4 related matters.

5 DIVISION I — REBUILD IOWA INFRASTRUCTURE FUND

6 APPROPRIATIONS. This division appropriates project funding  
7 for FY 2010-2011 from the rebuild Iowa infrastructure fund,  
8 including projects for the departments of administrative  
9 services, agriculture and land stewardship, for the blind,  
10 cultural affairs, economic development, education, natural  
11 resources, public defense, public health, transportation, and  
12 veterans affairs, and to the Iowa finance authority, the state  
13 board of regents, and the treasurer of state.

14 The division appropriates project funding for FY 2011-2012,  
15 FY 2012-2013, and FY 2013-2014 from the rebuild Iowa  
16 infrastructure fund to the department of corrections, for FY  
17 2011-2012, FY 2012-2013, FY 2013-2014, and FY 2014-2015 from  
18 the rebuild Iowa infrastructure fund to the department of  
19 natural resources, and for FY 2011-2012 from the rebuild Iowa  
20 infrastructure fund to the department of transportation.

21 DIVISION II — TECHNOLOGY REINVESTMENT FUND —

22 APPROPRIATIONS. This division appropriates project funding  
23 for FY 2010-2011 from the technology reinvestment fund for  
24 the departments of administrative services, corrections,  
25 education, and public health, and the Iowa telecommunications  
26 and technology commission.

27 DIVISION III — REVENUE BONDS CAPITALS FUND —

28 APPROPRIATIONS. This division appropriates project funding  
29 for FY 2010-2011 from the revenue bonds capitals fund for  
30 the departments of administrative services, agriculture and  
31 land stewardship, cultural affairs, corrections, economic  
32 development, natural resources, and the Iowa state fair, state  
33 board of regents, and the Iowa finance authority.

34 DIVISION IV — REVENUE BONDS CAPITALS II FUND —

35 APPROPRIATIONS. The division creates a revenue bonds capitals

1 II fund. Revenue for the revenue bonds capitals II fund shall  
2 include but is not limited to the net proceeds of certain bonds  
3 issued by the treasurer of state on or after July 1, 2010,  
4 interest attributable to investment of moneys in the fund or  
5 an account of the fund, and moneys in the form of a devise,  
6 gift, bequest, donation, federal or other grant, reimbursement,  
7 repayment, judgment, transfer, payment, or appropriation from  
8 any source intended to be used for the purposes of the fund.  
9 Annually, on or before January 15 of each year, a state agency  
10 that received an appropriation from the revenue bonds capitals  
11 II fund shall report to the legislative services agency and the  
12 department of management the status of all projects completed  
13 or in progress.

14 The division appropriates project funding for FY 2010-2011  
15 from the revenue bonds capitals II fund created in the bill to  
16 the departments of agriculture and land stewardship, economic  
17 development, education, natural resources, and transportation  
18 and to the Iowa finance authority including to the Iowa jobs  
19 board for purposes of the Iowa jobs II program, created in the  
20 bill, state board of regents, and treasurer of state.

21 DIVISION V — FY 2009 PRISON BONDING FUND. This division  
22 appropriates project funding for FY 2010-2011 to the department  
23 of corrections.

24 DIVISION VI — IOWA COMPREHENSIVE PETROLEUM UNDERGROUND  
25 STORAGE TANK FUND — DEPARTMENT OF TRANSPORTATION. This  
26 division appropriates money from the Iowa comprehensive  
27 petroleum underground storage tank fund to the department of  
28 transportation for the fiscal year beginning July 1, 2010, and  
29 ending June 30, 2011.

30 DIVISION VII — SMART PLANNING. Division VII of the bill  
31 creates new Code section 18B.1, which establishes 10 smart  
32 planning principles. State agencies, local governments,  
33 and other public entities are required to consider and  
34 may apply the principles during all appropriate planning,  
35 zoning, development, and resource management decisions.

1 The smart planning principles encourage collaboration  
2 with other groups and individuals, identify the importance  
3 of efficiency, transparency, and consistency, advise  
4 the use of clean and renewable energy, advise the use of  
5 energy-efficient and sustainable design options, encourage  
6 occupational, transportation, and housing diversity, encourage  
7 revitalization, identify the importance of community character,  
8 and encourage decisions that will protect natural and  
9 agricultural resources.

10 Municipalities, defined in new Code section 18B.2 as a  
11 city or a county, are also directed to consider the smart  
12 planning principles if the municipality develops or amends a  
13 comprehensive plan under Code chapter 335 or Code chapter 414,  
14 as applicable. Under new Code section 18B.2, a municipality  
15 may also consider including certain specified information  
16 in any such comprehensive plan or other land development  
17 regulations. The list of items includes information relating  
18 to public participation during the creation of the plan,  
19 objectives, policies, goals, and programs relating to  
20 utilities, housing, transportation, economic development,  
21 employment, protection of agricultural and natural resources,  
22 future development of certain specified public facilities,  
23 characteristics unique to the municipality, and natural or  
24 other hazards. A comprehensive plan or land development  
25 regulations may also include information relating to joint  
26 planning and joint decision making with other governmental  
27 entities. New Code section 18B.2 provides that a comprehensive  
28 plan may include a compilation of programs and specific  
29 actions to be completed, including changes to any applicable  
30 land development regulations, official maps, or subdivision  
31 ordinances that are necessary to implement any provision of the  
32 plan. A municipality's comprehensive plan that is developed  
33 using guidelines under new Code section 18B.2 must address  
34 prevention and mitigation of, response to, and recovery from a  
35 catastrophic flood.

1 Division VII of the bill amends several provisions of Code  
2 chapters 335 and 414 relating to county and city zoning and  
3 planning by allowing county and city zoning commissions to  
4 recommend a comprehensive plan, or amendments thereto, to the  
5 county board of supervisors or the city council, as applicable,  
6 and by specifying certain duties and powers of boards of  
7 supervisors and city councils relating to the consideration and  
8 adoption of a comprehensive plan.

9 Division VII of the bill establishes an Iowa smart planning  
10 task force consisting of 29 voting members and four ex officio,  
11 nonvoting members from the general assembly. The voting  
12 members consist of the heads of 14 specified state agencies and  
13 15 other members from specified academic programs, governmental  
14 entities and organizations, and industry associations. Members  
15 of the task force, other than those who are the head of a state  
16 agency or who are from specified programs, organizations,  
17 and associations, serve at the pleasure of the governor.  
18 The task force is required to meet at least four times  
19 before November 15, 2010. Members of the task force are not  
20 compensated for meeting participation and are not reimbursed  
21 for costs associated with meeting attendance. The director  
22 of the department of management is required to provide staff  
23 assistance and administrative support to the task force. The  
24 task force may request information or other assistance from  
25 the Iowa association of regional councils. The task force is  
26 required to comply with the requirements of Code chapters 21  
27 and 22, relating to meetings and public records. The director  
28 of the department of management is required to seek funding to  
29 support local comprehensive planning in the state.

30 The task force is required to consult land use experts,  
31 representatives of cities and counties, agricultural and  
32 environmental interests, urban and regional planning experts,  
33 reports or information from the local government innovation  
34 commission, and all other information deemed relevant by  
35 task force members. The task force is also required to

1 solicit information from the public on matters related to  
2 comprehensive planning, evaluate state policies, programs,  
3 statutes, and rules to determine whether any state policies,  
4 programs, statutes, or rules should be revised to integrate the  
5 Iowa smart planning principles, develop statewide goals for  
6 comprehensive planning that utilize the Iowa smart planning  
7 principles, and develop recommendations for a process to  
8 measure progress toward achieving those goals. The task  
9 force is further directed to evaluate and develop methods  
10 to incentivize comprehensive planning, develop a model for  
11 regional comprehensive planning within the state, review local  
12 comprehensive plans for specified purposes, develop a set of  
13 specified recommendations that operate consistently with the  
14 Iowa smart planning principles, and develop a model ordinance  
15 relating to floodplains.

16 The task force is required to prepare a report that includes  
17 goals, recommendations, and other specified information and  
18 submit it to the governor and general assembly on or before  
19 November 15, 2010. The task force is dissolved on December 31,  
20 2012.

21 DIVISION VIII — GROW IOWA VALUES FUND. Currently, the  
22 Code provides that for each fiscal year through the fiscal  
23 period ending June 30, 2015, the grow Iowa values fund is to  
24 receive an annual appropriation of \$50 million from either the  
25 general fund or the rebuild Iowa infrastructure fund. The  
26 division provides that the appropriation for FY 2010-2011  
27 shall be from the rebuild Iowa infrastructure fund. The  
28 department is directed to allocate that \$50 million for certain  
29 purposes. This division appropriates \$38 million from the  
30 rebuild Iowa infrastructure fund to the grow Iowa values fund  
31 for FY 2010-2011. The division also decreases the FY 2010-2011  
32 standing appropriation from the grow Iowa values fund to the  
33 department of economic development from \$50 million to \$38  
34 million and makes conforming changes to certain allocations.

35 The division allows the department to allocate, of the

1 moneys in the targeted small business financial assistance  
2 program account of the strategic investment fund, amounts  
3 necessary for marketing, compliance, and the provision of  
4 mentoring services.

5 Currently, the department must allocate \$3 million for  
6 deposit in the innovation and commercialization development  
7 fund. The division amends this allocation to require the  
8 department to allocate \$5.5 million for deposit in the  
9 innovation and commercialization development fund.

10 The division also creates a new allocation of \$1 million for  
11 deposit in the targeted small business financial assistance  
12 program account within the strategic investment fund.

13 Currently, the Code does not appropriate interest on moneys  
14 in the grow Iowa values fund. The division appropriates the  
15 interest to the department and directs the department to  
16 allocate it for certain purposes.

17 DIVISION IX — SMALL BUSINESS LINKED INVESTMENTS. Division  
18 IX relates to the small business linked investments program.  
19 Currently, in order to qualify under the program, the net worth  
20 of the owners of the business must be \$750,000 or less. The  
21 division increases the threshold to \$975,000.

22 DIVISION X — SITE DEVELOPMENT. Division X relates to the  
23 preparation of sites for economic development. Currently,  
24 Code section 15E.18 provides for certain targeted economic  
25 development site preparation. The division replaces this  
26 Code section with a new program that directs the department  
27 of economic development to provide site readiness consulting  
28 services to local governments and officials and to issue  
29 certificates of readiness to those sites that meet criteria  
30 for readiness developed by the department. The division  
31 appropriates \$175,000 to the department and authorizes one  
32 full-time equivalent position.

33 DIVISION XI — INTERNET SITE FOR BUSINESS ASSISTANCE.

34 Division XI directs the department of economic development  
35 in consultation with other agencies of state government and

1 the board of regents, to create an internet site that brings  
2 together all the information on financial and technical  
3 assistance the state offers to businesses. The division  
4 appropriates \$20,000 to the department for purposes of creating  
5 the site.

6 DIVISION XII — REGULATORY ASSISTANCE INTERIM STUDY  
7 COMMITTEE. Division XII requests the legislative council  
8 to establish an interim study committee to examine and make  
9 recommendations regarding methods of assisting small businesses  
10 that do not require direct financial incentives and regarding  
11 potential changes of law that would improve business licensing,  
12 regulatory compliance, and tax collection procedures.

13 DIVISION XIII — SAVE OUR SMALL BUSINESSES FUND AND PROGRAM.  
14 Division V creates a save our small businesses fund and  
15 program. The fund is created in the state treasury under the  
16 control of the department of economic development and consists  
17 of moneys appropriated to it and repayments of principle and  
18 interest on moneys loaned under the program.

19 The division appropriates \$5 million for purposes of  
20 providing loans to certain eligible small businesses. The  
21 department must begin to provide the loans no later than  
22 August 1, 2010. If, on March 31, 2011, the department has not  
23 obligated the full amount of the appropriation, the moneys  
24 in the fund revert to the general fund of the state. The  
25 loans must be at least \$2,500 but not more than \$50,000, and  
26 the interest rate on the loans must not exceed 3.9 percent.  
27 Repayments of principle and interest on the loans must be  
28 deposited in the fund. Each quarter, the moneys in the fund  
29 revert to the general fund of the state. On March 31, 2016,  
30 all moneys in the fund revert to the general fund of the state.  
31 The term of a loan may be for any period of time, but the loan  
32 agreement must provide for the repayment of all principle and  
33 interest prior to statutory reversion on March 31, 2016.

34 The department is allowed to designate a nonprofit  
35 organization to administer the program provided the



1 organization is designated as a statewide microloan program  
2 provider by the United States small business administration.  
3 The department, with the assistance of an organization  
4 designated to administer the program, must submit a report on  
5 the program to the general assembly each year by January 15.  
6 The department is directed to adopt rules to administer the  
7 program and may adopt emergency rules.

8 The division is effective upon enactment.

9 DIVISION XIV — ALTERNATIVE PUBLIC PROJECT DELIVERY STUDY.

10 This division relates to the establishment of an interim study  
11 by the legislative council to study the use of alternative  
12 project delivery for public projects at institutions under the  
13 control of the state board of regents.

14 DIVISION XV — FLOODPLAIN MAPPING. This division provides  
15 for the use of funds allocated to the department of natural  
16 resources for floodplain mapping from the appropriation made  
17 to the department of economic development in 2009 Iowa Acts,  
18 chapter 183, section 67, of federal community development block  
19 grant funds awarded to the state under the federal Consolidated  
20 Security, Disaster Assistance, and Continuing Appropriations  
21 Act, 2009, Pub. L. No. 110-329, the department of economic  
22 development shall enter an agreement in an amount of not less  
23 than \$10 million with the state university of Iowa for the  
24 development of new floodplain maps by June 30, 2014, by the  
25 Iowa flood center established pursuant to Code section 466C.1.  
26 The department of economic development shall structure the  
27 contract to be consistent with any plan for use of the funds  
28 approved by any federal agency, or, if necessary, follow any  
29 procedures necessary for approval of this contract.

30 DIVISION XVI — DEPARTMENT OF ADMINISTRATIVE SERVICES —  
31 OFFICE SPACE — STATE FLEET RELOCATION. This division requires  
32 the department of administrative services to issue a request  
33 for proposals by December 1, 2010, concerning the availability  
34 and cost of office space for state employees in downtown Des  
35 Moines and in other areas in close proximity to the state

1 capitol complex. The department shall submit a written report  
2 to the general assembly concerning the request for proposals by  
3 January 14, 2011. The department is also required to conduct  
4 a cost-benefit analysis of utilizing existing office space in  
5 downtown Des Moines and other areas in close proximity to the  
6 state capitol complex in lieu of replacing or renovating the  
7 Wallace Building. The department shall submit a written report  
8 to the general assembly concerning the cost-benefit analysis by  
9 January 14, 2011.

10 The division also requires the department of administrative  
11 services to evaluate and consider relocating the state vehicle  
12 fleet.

13 DIVISION XVII — CHANGES TO PRIOR YEAR APPROPRIATIONS. This  
14 division makes changes to prior year appropriations for FY  
15 2006-2007 from the rebuild Iowa infrastructure fund for the  
16 department of public safety and from Iowa's health restricted  
17 capitals fund for the department of administrative services.  
18 The division makes changes to prior year appropriations  
19 for FY 2007-2008 from the rebuild Iowa infrastructure fund  
20 for the state board of regents and from the technology  
21 reinvestment fund for the department of human rights and the  
22 Iowa workforce development. The division makes changes to  
23 prior year appropriations for FY 2008-2009 from the technology  
24 reinvestment fund for the department of education, from the  
25 revenue bonds capitals fund for the department of corrections,  
26 from the rebuild Iowa infrastructure fund for the departments  
27 of administrative services and cultural affairs, and from the  
28 FY 2009 prison bonding fund for the department of corrections.  
29 The division makes changes to prior year appropriations for  
30 FY 2009-2010 from the revenue bonds capitals fund for the  
31 departments of agriculture and land stewardship, economic  
32 development, natural resources, transportation, and the  
33 Iowa telecommunications and technology commission, and from  
34 the rebuild Iowa infrastructure fund for the departments of  
35 cultural affairs and transportation.

1     The division makes changes to prior year appropriations  
2 for FY 2010-2011 from the rebuild Iowa infrastructure fund to  
3 the department of economic development and from the rebuild  
4 Iowa infrastructure fund to the departments of administrative  
5 services, corrections, state board of regents, and the Iowa  
6 state fair.

7     This division takes effect upon enactment.

8     DIVISION XVIII — MISCELLANEOUS CODE CHANGES. The division  
9 eliminates the standing FY 2010-2011 \$10 million appropriation  
10 from the rebuild Iowa infrastructure fund to the secure an  
11 advanced vision for education (SAVE) fund.

12     The division reduces the FY 2010-2011 standing appropriation  
13 from the rebuild Iowa infrastructure fund to the environment  
14 first fund from \$42 million to \$33 million.

15     The division appropriates \$10 million from the rebuild Iowa  
16 infrastructure fund to the technology reinvestment fund for FY  
17 2010-2011.

18     The division makes changes to Code section 8.57 relating  
19 to the distribution of wagering tax allocations for purposes  
20 of pledging a revenue stream for revenue bonds issued on or  
21 after July 1, 2010, authorized under the bill. In addition,  
22 the division makes changes to Code section 123.53 relating to  
23 the beer and liquor control fund to provide for a secondary  
24 source of revenue funding for the revenue bonds relating to the  
25 revenue bonds federal subsidy holdback fund.

26     The division authorizes the treasurer of state to issue and  
27 sell bonds in amounts which provide aggregate net proceeds of  
28 not more than \$150 million for purposes of an Iowa jobs grant  
29 program relating to disaster prevention for qualified projects  
30 in the departments of agriculture and land stewardship,  
31 economic development, education, and transportation, and the  
32 Iowa finance authority, the state board of regents, and the  
33 treasurer of state.

34     The division creates a revenue bonds federal subsidy  
35 holdback fund comprised of the wagering tax revenues required

1 to be deposited in the fund, interest attributable to  
2 investment moneys in the fund, and any other moneys from any  
3 other sources which may be legally available to the treasurer  
4 of state for the purpose of the fund. The moneys in the  
5 revenue bonds federal subsidy holdback fund are appropriated  
6 and shall be used or transferred to the revenue bonds debt  
7 service fund solely for the purpose of making payments of  
8 principal and interest on the federal subsidy bonds when due,  
9 if the treasurer of state or the treasurer's designee has not  
10 received a federal subsidy scheduled to be received for such  
11 payment by the due date. The moneys on deposit in the revenue  
12 bonds federal subsidy holdback fund are required to be used  
13 or transferred to the revenue bonds debt service fund solely  
14 for the purpose of making payments of principal and interest  
15 on federal subsidy bonds prior to any use or transfer of  
16 moneys on deposit in any bond reserve fund created for such  
17 federal subsidy bonds by the treasurer of state. At any time  
18 during each fiscal year that there are moneys on deposit in  
19 the revenue bonds federal subsidy holdback fund that are not  
20 needed to pay principal and interest on federal subsidy bonds  
21 during such fiscal year, all moneys on deposit in the revenue  
22 bonds federal subsidy holdback account shall be credited to  
23 the general fund. For purposes of the bill, "federal subsidy"  
24 means any payment from the federal government with respect to  
25 federal subsidy bonds and "federal subsidy bonds" means any  
26 bonds issued and sold pursuant to Code section 12.87 for which  
27 a federal subsidy is expected to be paid on or before any date  
28 on which interest on such bonds is due and payable.

29 The division eliminates standing appropriations for FY  
30 2010-2011 from the rebuild Iowa infrastructure fund to the  
31 community attraction and tourism fund and from the franchise  
32 tax revenues deposited in the general fund of the state to the  
33 community attraction and tourism fund.

34 The division eliminates standing appropriations from the  
35 rebuild Iowa infrastructure fund and the general fund for FY

1 2010-2011 to the department of economic development for the  
2 community attraction and tourism program.

3 The division appropriates funds from the rebuild Iowa  
4 infrastructure fund to the Iowa finance authority for deposit  
5 into the housing trust fund for FY 2010-2011.

6 The division creates an Iowa jobs II program to assist  
7 in the development and completion of public construction  
8 projects relating to disaster prevention. A city or county  
9 in this state or a regional transit district as defined in  
10 chapter 28M that applies the smart planning principles and  
11 guidelines pursuant to Code sections 18B.1 and 18B.2 if  
12 enacted in 2010 Iowa Acts, Senate File 2265, may submit an  
13 application to the Iowa jobs board created in Code section  
14 16.191 for a local infrastructure competitive grant for an  
15 eligible project under the program. The board is required to  
16 consider certain criteria in evaluating eligible projects to  
17 receive financial assistance under the program. Any award  
18 of financial assistance to a project is limited to up to 75  
19 percent of the total cost of the total cost of the development  
20 and completion of a public construction project relating to  
21 disaster prevention.

22 The division amends Code section 26.3 relating to  
23 competitive bids for public improvement contracts. The  
24 division provides that a governmental entity shall ensure that  
25 a sufficient number of paper copies of the project's contract  
26 documents, including all drawings, plans, specifications, and  
27 estimated total costs of the proposed public improvement are  
28 made available for distribution at no charge to prospective  
29 bidders, subcontractor bidders, suppliers, and contractor plan  
30 room services. If a deposit is required as part of a paper  
31 contract documents distribution policy by the public owner,  
32 the deposit shall not exceed \$2,50 per set which shall be  
33 refunded upon return of the contract documents within 14 days  
34 after award of the project. If the contract documents are not  
35 returned in a timely manner and in a reusable condition, the

1 deposit shall be forfeited.

2     The division contains a provision relating to minority-owned  
3 and female-owned businesses and bond issuance services.

4     The division makes technical changes relating to the  
5 reversion of funds provisions in Code sections 327H.20A  
6 (railroad revolving loan and grant fund) and 327J.2 (passenger  
7 rail service revolving fund).

8     The division repeals Code section 12.90A authorizing the  
9 treasurer of state to issue annual appropriation bonds on or  
10 after July 1, 2010, and makes conforming changes by repealing  
11 the annual appropriation bonds debt service fund (Code section  
12 12.90B), the appropriations bonds capitals fund (Code section  
13 12.90C), and the vertical infrastructure restricted capitals  
14 fund (Code section 8.57D).

15     The division repeals the public service shelter grant  
16 fund (Code section 16.185), the disaster damage housing  
17 assistance grant fund (Code section 16.186), the affordable  
18 housing assistance grant fund (Code section 16.187), and the  
19 bridge safety fund (Code section 313.68), and makes conforming  
20 changes.